

AN ORDINANCE REPEALING ARTICLE 2 OF CHAPTER 8 OF TITLE VI OF THE MODESTO MUNICIPAL CODE, RELATING TO DETECTIVE AGENCIES.

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

SECTION 1. REPEALS. Article 2 of Chapter 8 of Title VI of the Modesto Municipal Code is hereby repealed.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 17th day of December, 1962, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

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/^{adjourned}meeting of the Council of the City of Modesto held on the 26th day of December, 19 62, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 10, 1963

AN ORDINANCE APPROPRIATING ADDITIONAL REVENUES
FOR EXPENDITURE DURING THE 1962-63 FISCAL YEAR
AND ALLOCATING THEM FOR CAPITAL OUTLAY PURPOSES.

WHEREAS, it is anticipated that an additional sum of Twenty-Two Thousand, Seven Hundred Forty and No/100ths (\$22,740.00) Dollars, not heretofore appropriated, will be received during the 1962-63 fiscal year from a project grant under Public Law 660 and deposited into the 1953 Sewer Improvement Fund, and

WHEREAS, the Council desires to appropriate said funds for expenditure during the 1962-63 fiscal year and allocate them for capital outlay purposes,

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

SECTION 1. APPROPRIATION. The sum of Twenty-Two Thousand, Seven Hundred Forty and No/100ths (\$22,740.00) Dollars, which is estimated to be received from a project grant under Public Law 660 during the 1962-63 fiscal year not heretofore appropriated, is hereby appropriated as follows:

503 - Industrial Waste Treatment Works Additions
in the amount of Twenty-Two Thousand,
Seven Hundred Forty and No/100ths
(\$22,740.00) Dollars.

SECTION 2. DIRECTOR OF FINANCE TO IMPLEMENT PROVISIONS. The Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this ordinance.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once in the Modesto Tribune, 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 7th day of January, 1963, by Councilman Mitchell,

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: Johansen, Mitchell, ~~Shastid~~, Tabbert, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~Patton~~, Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE ATHENS NO. 2 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Robert P. Bomberger

on October 24, 1962, 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 ATHENS 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 13th day of November, 1962, set said petition for hearing at the hour of 4:30 o'clock P.M. on the 7th day of January, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on November 22, 1962, and on November 29, 1962, 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 7th day of January, 1963, at the hour of 4:30 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 as the ATHENS 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:

ATHENS NO. 2 ADDITION

All that real property 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 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 Southeastern corner of said East Floyd Addition; thence along the City Limits and the Eastern line of the East Floyd Addition, North $0^{\circ} 53'$ West, 245.94 feet to the Southwestern corner of the East Floyd No. 2 Addition as per description filed June 29, 1960, as Instrument 18293, Stanislaus County Records; thence continuing along the City Limits and the Southern line of the East Floyd No. 2 Addition, South $89^{\circ} 30'$ East, 414.34 feet to the Southeastern corner of the East Floyd No. 2 Addition; thence continuing along the City Limits and the Eastern line of the East Floyd No. 2 Addition, North $0^{\circ} 53'$ West, 144.00 feet, to the Southwestern corner of the East Floyd No. 3 Addition as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the City Limits and the Southern line of the East Floyd No. 3 Addition, South $89^{\circ} 30'$ East, 346.00 feet to the Southeastern corner of the East Floyd No. 3 Addition; thence along the Southerly extension of the Eastern line of the East Floyd No. 3 Addition, South $0^{\circ} 53'$ East, 389.94 feet, to a point on the center line of the Cavil Drain, said point being on the Southern line of property conveyed to Harry G. Russell, Et Ux, as per deed recorded September 6, 1960, as Instrument 25270, Stanislaus County Records; thence along the Southern line of said Russell property and the center line of the Cavil Drain, North $89^{\circ} 30'$ West, 760.34 feet to the point of beginning, containing 5.437 Acres more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 7th day of January, 1963, by Councilman Mitchell, 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:	Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE CRESTVIEW NO. 2 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Ralph L. Manning, Elsie Manning, Kenji Kurita, Joyce Kurita, G. Merrill Russell, Chester U. Mortensen, Vernon E. Brooks, Janet Mortensen, Virginia M. Brooks and Cecile E. Russell on October 25, 1962, 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 CRESTVIEW 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 13th day of November, 1962, set said petition for hearing at the hour of 4:35 o'clock P.M. on the 7th day of January, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on November 22, 1962, and on November 29, 1962, 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 7th day of January, 1963, at the hour of 4:35 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 as the CRESTVIEW 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:

CRESTVIEW NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Downey Park No. 1 as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being the Northwestern corner of said Downey Park No. 1; thence along the Northern line of Downey Park No. 1, East, 395.00 feet, to the Northeastern corner of Lot 4, Block 1102, Downey Park No. 1; thence along the Eastern line of said Lot 4, South $12^{\circ} 20' 00''$ West 159.83 feet to the Southeastern corner of said Lot 4; thence South $1^{\circ} 35' 05''$ East, 65.86 feet to a point on the existing City Limits as established by the Crestview Addition as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records, said point being the Northeastern corner of Lot 4, Block 1101 of Downey Park No. 1; thence along the City Limits, West, 362.68 feet to a point on the Eastern line of Lorenzen Addition; thence continuing along the City Limits and the Eastern line of Lorenzen Addition North, 222.00 feet to the point of beginning, containing 1.890 Acres more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 7th day of January, 1963, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by

John H. Kirkpatrick and Dolores Irene Kirkpatrick

on October 16, 1962, 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 NORTHLAND ESTATES 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 November, 1962, set said petition for hearing at the hour of 4:45 o'clock P.M. on the 7th day of January, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on November 22, 1962, and on November 29, 1962, 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 7th day of January, 1963, at the hour of 4:45 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 as the NORTHLAND ESTATES 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:

NORTHLAND ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, and being a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning on the existing City Limits as established by the Northeastern corner of the Neighborhood Church Addition filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Northerly extension of the Eastern line of said Neighborhood Church Addition, North $1^{\circ} 23'$ West, 40 feet, to a point on the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, South $89^{\circ} 08'$ East, 914.81 feet to a point on the North-South quarter section line of Section 8; thence along the quarter section line, South $1^{\circ} 19'$ East, 1.26 feet; thence along the Northern line of Woodrow Avenue South $89^{\circ} 30'$ East, 590.14 feet to the Southeastern corner of the North Star Estates Subdivision, as per map filed October 4, 1961, Volume 19 of Maps, Page 84, Stanislaus County Records; thence along the Southerly extension of the Eastern line of the North Star Estates Subdivision, South $1^{\circ} 13'$ East, 40.02 feet, to a point on the Southern line of Woodrow Avenue, thence along the Southern line of Woodrow Avenue, South $89^{\circ} 30'$ East, 230.59 feet to the Northwestern corner of property conveyed to Stanley B. Dufton as per Deed recorded December 19, 1956, Instrument 34090, Stanislaus County Records; thence along the Western line of Dufton property, South $1^{\circ} 19'$ East, 641.33 feet, to the Southwestern corner of Dufton property, said point also being on the Northern line of property conveyed to Gertrude Ruddy, as per Deed recorded June 6, 1956, Instrument 15613, Stanislaus County Records; thence along the Northern line of Ruddy property, North $89^{\circ} 27' 30''$ West, 790.80 feet, to the Northwestern corner of Ruddy property, said point also being on the Eastern line of Tidewater Southern Railroad Right of Way; thence along the Eastern line of Tidewater Southern Railroad Right of Way, North $1^{\circ} 19'$ West, 640.73 feet, to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North $89^{\circ} 30'$ West 30.07 feet, to a point on the North-South quarter section line of Section 8; thence along said quarter section line, North $1^{\circ} 19'$ West, 1.26 feet to the Southern line of Woodrow Avenue; thence along the Southern line of Woodrow Avenue, North $89^{\circ} 08'$ West, 914.65 feet to the point of beginning, containing 13.328 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 7th day of January, 1963, by Councilman Mitchell, 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: Johansen, Mitchell, Shastid, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED: 

DON B. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by

STANISLAUS MEDICAL BUILDING CORPORATION

on November 8, 1962, 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 GOULD 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 26th day of November, 1962, set said petition for hearing at the hour of 4:50 o'clock P.M. on the 7th day of January, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on December 6, 1962, and on December 13, 1962, 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 7th day of January, 1963, at the hour of 4:50 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 as the GOULD 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:

GOULD ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and being a portion of the South Half of Lot 30 of the Broughton Colony Tract, as recorded March 19, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, and more particularly described as follows:

Commencing at the Southwestern corner of said Section 22, said point being on the existing City Limits as established by the Downey High School and New John Muir School Site by the Board of Supervisors Resolution 8932, filed August 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the Section line and the City Limits, North $0^{\circ} 14'$ West, 20.00 feet to the true point of beginning; thence continuing along the Section line and the City Limits, North $0^{\circ} 14'$ West, 308.35 feet to a point on the intersection of the Section line and the Western extension of the Northern line of the property conveyed to Stanislaus Medical Building Corporation as per Deed recorded April 29, 1954, as Instrument 10859, Stanislaus County Records; thence along the City Limits and the Northern line and its Western extension of said Stanislaus Medical Building Corporation property, South $89^{\circ} 42'$ East, 683.35 feet to a point on the Eastern line of said Lot 30, said point also being on the Western line of a 20.00 foot County Road known as Sunnyside Avenue as per Road Deed recorded October 11, 1956, as Instrument 27944, Stanislaus County Records; thence along the Eastern line of said Lot 30 and the Western line of Sunnyside Avenue, South $0^{\circ} 14'$ East, 308.35 feet to a point on the Northern line of a 40 foot Public Road known as Lucern Avenue; thence along the Northern line and its Western extension of Lucern Avenue, North $89^{\circ} 42'$ West, 683.35 feet to the point of beginning, containing 4.837 Acres.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 7th day of January, 19 63, by Councilman Shastid, 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: Johansen, Mitchell, Shastid, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by
SAN RAMON COMPANIES, INC., by Louis A. Conter, President and
DRYDEN FARMS, INC., by Richard J. Giddings, President
on November 14, 1962, 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 YOUNG
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
26th day of November, 1962, set said petition for
hearing at the hour of 4:55 o'clock P.M. on the 7th day
of January, 1963, in the Council Chambers at the City
Hall, 801 Eleventh Street 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 a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on December 6, 1962, and on
December 13, 1962, 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 assess-
ment 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 7th day of January, 1963, at the hour of 4:55 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 as the YOUNG 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:

YOUNG ADDITION

All that real property 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 2, 6, 7, 8, 9, 10, 11 and 12 of the Rouse Colony, as per map filed January 10, 1911, in Volume 5 of Maps, at Page 24, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Dryden-Durand Addition, as per description filed June 23, 1955, as Instrument 18187, Stanislaus County Records, said point being the intersection of the Eastern line of a 40 foot Right of Way known as Colorado Avenue and the Northern line of Lot 2 as they are shown on the map of the Rouse Colony; thence along the existing City Limits the following bearings and distances, South 57° 12' 25" East, 89.46 feet, North 51° 07' 05" East, 432.50 feet, North 35° 28' 35" East, 524.98 feet, North 52° 23' 20" East, 569.45 feet, North 19° 47' East, 215.98 feet, North 84° 13' West, 169.00 feet, North 14° 47' East, 123.00 feet, North 89° 45' West, 123.89 feet, to a point on the existing City Limits as established by the Southern line of the Club House Addition, as per description filed July 29, 1959, as Instrument 21781, Stanislaus County Records; thence along the existing City Limits 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, 212.20 feet, to the Northwestern corner of the Club House Addition and a point on the Northern line of Lot 11 of said Rouse Colony; thence leaving the existing City Limits and running along the Northern line of Lot 11 and Lot 12, North 89° 58' 30" West, 665.20 feet, to the Eastern line of Colorado Avenue; thence along the Eastern line of Colorado Avenue, South 0° 14' 10" West, 1989.90 feet to the point of beginning containing 34.359 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 7th day of January, 1963, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(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. (SPENCER ADDITION)

WHEREAS, Spencer Addition was annexed to the City of Modesto on December 12, 1962, and

WHEREAS, Section 10-2.1505 of the Modesto 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 rezone the following described property to Interim Planned-Development Zone, (I) P-D(12), as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference:

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North $34^{\circ} 37'$ East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North $34^{\circ} 37'$ East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North $89^{\circ} 57'$ East, 560.26 feet, to the Western line of a 40 foot Public Road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South $0^{\circ} 10'$ West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South $89^{\circ} 54'$ West, 917.43 feet, to the point of beginning, containing 8.796 Acres.

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. USES. The following uses shall be permitted in said (I) P-D(12) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

(a) Eleven (11) two (2) story apartment buildings containing a total of one hundred twenty-two (122) units, and off-street parking for one hundred fifty (150) automobiles.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Tribune, 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 7th day of January, 1963, by Councilman Johansen, 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: Johansen, Mitchell, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 558 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION 5-6.103 OF ARTICLE 1 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO WASTE DISPOSAL.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.103 of Article 1 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.103. SPECIAL SITUATIONS. Anything to the contrary contained in this chapter notwithstanding, the Council shall have the power to establish, by agreement or resolution, the rate or rates to be charged for furnishing sewer services to governmental agencies, and to any person outside of the corporate limits of the City, at rates different from those heretofore set forth and on a basis that is fair and equitable to all the parties concerned.

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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

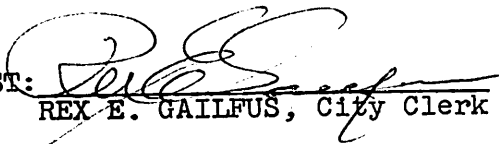
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 21st day of January, 19 63, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 5, 1963

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

WHEREAS, a petition was filed with the City Clerk by
Frank J. Francek, Mary J. Francek, C. J. Rumble and Flossie A.
Rumble

on October 25, 1962, 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 FRANCEK
 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 November, 1962, set said petition for
 hearing at the hour of 4:40 o'clock p.m. on the 7th day of
January, 1963, in the Council Chambers at the
 City Hall, 801 Eleventh Street 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 cir-
 culation to wit: The Modesto Tribune, a newspaper
 published in the City of Modesto on November 22, 1962,
 and on November 29, 1962; and in the Turlock Daily
 Journal, a newspaper published outside the City of Modesto, but in
 the County of Stanislaus, on November 21, 1962,
 and on November 29, 1962, for the time and in the
 manner required by law, which publications were completed at least
 twenty (20) days prior to the date set for hearing; that written
 notice of the proposed annexation has been mailed by the City Clerk
 of the City of Modesto to each person to whom land within the terri-
 tory proposed to be annexed was assessed on the last equalized
 assessment roll available on the date the proceedings were initiated.

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

WHEREAS, on the 7th day of January, 1963, at the hour of 4:40 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 as the FRANCEK 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:

FRANCEK ADDITION

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northern line of the Neighborhood Church Addition, as per description filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point being the intersection of the Section Line common to Sections 7 and 8, said Section Line being the center line of a 40 foot Public Road known as Tully Road, and the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the existing City Limits and the center line of Tully Road, North $0^{\circ} 54'$ West, 23.11 feet, to the South line of the Northeast quarter of the Southeast quarter of Section 7; thence along the existing City Limits and said South line, North $89^{\circ} 12'$ West, 1009.71 feet, to the Northwestern corner of said Neighborhood Church Addition and the Northeastern corner of the Renee Manor Addition, as per description filed October 18, 1962, as Instrument 39841, Stanislaus County Records; thence continuing along the existing City Limits, North $89^{\circ} 12'$ West, 311.27 feet, to the West line of the Northeast quarter of the Southeast quarter of Section 7; thence along said West line, North $1^{\circ} 02' 40''$ West, 1298.12 feet, to the Southern line of 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South $89^{\circ} 09'$ East, 1324.15 feet, to the center line of Tully Road and the Section Line common to Sections 7 and 8; thence continuing along the Southern line of Standiford Avenue and along the Northern line of Lots 38, 37, and 36 of Standiford Colony, as per map filed December 11, 1912 in Volume 7 of Maps, Page 17, Stanislaus County Records, South $89^{\circ} 09'$ East, 1040.96 feet, to the Northeast corner of said Lot 36; thence along the Eastern line of Lot 36, South $0^{\circ} 54'$ East, 640.00 feet, to the Northern line of Lot 42 of said Standiford Colony; thence along the Northern line of Lot 42, South $89^{\circ} 09'$ East, 340.32 feet, to the Northeast corner of said Lot 42; thence along the Eastern line of Lot 42, South $0^{\circ} 54'$ East, 640.00 feet, to the Northern line of Woodrow Avenue; thence along the Northern line of Woodrow Avenue, and the Southern line of Lot 43, South $89^{\circ} 09'$ East, 340.32 feet, to the Eastern line of said Lot 43; thence along the Southerly extension of the Eastern line of Lot 43, South $0^{\circ} 54'$ East, 40.00 feet, to the Northeastern corner of the Neighborhood Church Addition on the Southern line of Woodrow Avenue and the existing City Limits; thence along the existing City Limits, North $89^{\circ} 09'$ West, 1721.60 feet, to the point of beginning, containing 76.525 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 19 63, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING CHAPTER 3 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, RELATING TO THE ELECTRICAL CODE.

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

SECTION 1. AMENDMENT OF CODE. Chapter 3 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

CHAPTER 3 - ELECTRICAL CODE

ARTICLE 1. GENERAL PROVISIONS

SEC. 9-3.101. PURPOSES. The purposes of this chapter are to provide minimum standards to safeguard life, limb, health, property, and the public welfare by regulating and controlling the design, construction, installation, alteration, repair and quality of materials for electrical work, and by the qualification and certification of persons engaged in laboring at the trade of electrician within the City of Modesto. ,

SEC. 9-3.102. ADOPTION OF UNIFORM ELECTRICAL CODE AND NATIONAL ELECTRICAL CODE. Those certain documents in book form entitled, "Uniform Electrical Code, 1959 Edition", published by the Pacific Coast Electrical Bureau, and "National Electrical Code, 1959 Edition", as approved by the American Standards Association, three (3) copies of which are on file in the office of the City Clerk, are hereby adopted by reference together as the Electrical Code of the City of Modesto, except as hereinafter amended, deleted and added to.

SEC. 9-3.103. DEFINITIONS. Wherever the following words appear in the "Uniform Electrical Code, 1959 Edition" and the "National Electrical Code, 1959 Edition", they shall be deemed to mean as follows:

(a) Chief Electrical Inspector shall mean the Chief Building Official.

(b) Assistant Electrical Inspector shall mean the Building Inspector so designated by the Chief Building Official.

SEC. 9-3.104. ASSISTANCE TO INSPECTORS. Upon reasonable advance notice being given by the Building Department, the contractor shall furnish the necessary help and equipment to assist the inspector to inspect the work done. This help shall be provided during normal working hours of the trade involved and in a reasonable length of time proportionate to the size of the job.

SEC. 9-3.105. BUSINESS LICENSE REQUIRED. Before any person shall engage in the business of performing or doing electrical work in the City, he shall first procure the necessary business license from the Director of Finance, in accordance with the provisions of Chapter 1 of Title VI of this Code.

SEC. 9-3.106. FEES FOR PERMITS AND INSPECTION. That Section 3 of the Uniform Electrical Code be amended to read as follows:

Section 3. Any person desiring an electrical permit shall, at the time of filing an application therefor, pay a fee required in this section.

(a) The Director of Finance shall assist the Chief Building Official by collecting the fees hereinafter set forth upon receipt of an approved application for a permit from the Chief Building Official. The Director of Finance shall collect from such applicant 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.

(b) It shall be unlawful for any person to do any electrical work for which a permit is required by this chapter without having obtained a permit therefor before commencing the work or within twenty-four (24) hours, excepting Saturdays, Sundays, and holidays after commencing the work.

(c) Whenever electrical work is commenced other than stated herein and for which an electrical permit is subsequently permitted to be obtained, the applicant for such a permit shall pay double the permit fee fixed by this section for the first violation and shall pay ten (10) times the permit fee fixed by this section, or Twenty-Five and no/100ths (\$25.00) Dollars, whichever is greater, for each subsequent violation.

(d) SCHEDULE OF FEES

Permits (Issuing and Filing), Each	\$1.00
Supplementary Permits, Each	None
Fixtures, Each . . . . .	.15
Fused Switches - 30 Ampere . . . . .	.25
(except motor 60 Ampere . . . . .	.35
disconnects) 100 Ampere . . . . .	.50
Over 100 Ampere	1.00
Outlets at which current is used or controlled:	
For the first 10, Each . . . . .	.25
For 11 to 100, Each . . . . .	.10
Excess of 100, Each . . . . .	.05
Outlets for Cord Connected Air Conditioning Units . . . . .	.50
Range, Dryer, Dishwasher, Water or Air Heater, Each . . . . .	.50
Strings of Construction Lights or Strings of Outdoor Lights Consisting of:	
100 Lamps or Less . . . . .	.50
101 to 300 Lamps . . . . .	.75
Over 300, additional for each . . . . .	.002
Motors:	
Less than 1 H.P. . . . .	.50
From 1 H.P. to 3 H.P., Each	1.50
From 3 to 10 H.P., Each	2.00
Over 10 H.P.	2.50

Moving Motors where the Switches and Control Equipment Are Not Moved, the Fee Shall Be $\frac{1}{2}$ of the Above.

Motor-Generator Sets, 50% greater than for Motors Alone.

Generators, each K.V.S. capacity shall be considered as one Horsepower in a Motor.

Projector Machines, Dissolvers, etc.	1.00
Electric Signs, incandescent or fluorescent	1.50
Electric Signs, luminous gas type, 1-4 transformers	1.50
5 or More, Each . . . . .	.35
Rectifiers or Converters, per K.W. . . . .	.25
Electric Welder, per K.W. . . . .	.25
X-Ray Units, Each	2.00

(e) No electrical permit fee shall be required for the issuance of an electrical permit to any governmental agency.

(f) A fee of Ten and no/100ths (\$10.00) Dollars shall be paid for each annual Maintenance Electrician permit at the time when such permit is issued. Fees for all work installed under such a permit since the date of the last previous inspection shall be paid, according to the above schedule, at the time when such work is inspected. These fees shall be in addition to the fee paid at the time when the annual permit is issued.

SEC. 9-3.107. EXPIRATION OF PERMITS. Every permit issued by the Chief Building Official under the provisions of this Code shall become null and void if the electrical work authorized by such permit is not commenced within sixty (60) days from the date of such permit, or if the electrical work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred twenty (120) days. Before such work can be recommenced a new permit shall be obtained and the fee therefor shall be one half ($\frac{1}{2}$) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one year.

SEC. 9-3.108. TELEPHONE PERMIT PROCEDURE. Notwithstanding the provisions 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.

SEC. 9-3.109. GENERAL REQUIREMENTS. That Section 6 of the Uniform Electrical Code be amended to read as follows:

Section 6. (a) General. All installations shall be in conformity with the provisions of this Code and with the approved standards for safety to life and property.

(b) Residential. The requirements of the National Electrical Code, 1959 Edition, shall apply to work on domestic residences and apartment houses of not more than fourteen (14) apartments.

(c) Commercial and Industrial. The latest edition of the Electrical Safety Orders of the Department of Industrial Relations of the State of California shall apply to all work not covered in paragraph (b) above.

(d) Identification of Materials, Devices, Appliances and Equipment. All electrical materials, devices, appliances and equipment installed or used, shall be in conformity with the provisions of this Code and with approved standards for safety to life and property.

Listing or labeling, as conforming to the Standards of the Underwriters' Laboratories, Inc., the United States Bureau of Standards, the United States Bureau of Mines, or other similar institution of recognized standing, shall be prima facie evidence of conformity with the approved standards for safety to life and property.

The maker's name, trade-mark, or other identification symbol, shall be placed on all electrical materials, devices, appliances and equipment used or installed under this Code.

(e) Used Materials. Previously used material shall not be re-used in any work without approval obtained from the Chief Electrical Inspector.

SEC. 9-3.110. SPECIAL REQUIREMENTS.

(a) General.

(1) Convenience outlets shall not be placed on any lighting circuit.

(2) Not more than twelve (12) outlets shall be permitted on any lighting circuit on No. 14 AWG wire and not more than fifteen (15) outlets on any lighting circuit on No. 12 AWG wire.

(3) Where the service conduit is extended to furnish a support for the service drop wires, only rigid conduit of not less than one and one fourth ($1\frac{1}{4}$ ") inch trade size may be used and shall not extend more than thirty (30") inches beyond the last support.

(4) Substandard service equipment shall be brought up to standard on any and all remodeling jobs or in any case where additional wiring is installed.

(5) Wiring over twenty-five (25) volts within Fire District No. 1 as described in this Code, excepting communication circuits, shall be in metal raceway. Wiring over twenty-five (25) volts outside Fire District No. 1 shall be in metal raceway except for the following:

small sheds.

(aa) Dwellings, private garages,

(10) patient beds.
(ab) Nursing homes of less than ten

(ac) Rest homes, homes for preschool children and homes for aged persons of less than twenty (20) occupants other than the owner and/or manager.

(ad) Motels, hotels, apartment buildings, or other multiple dwellings with an occupancy of less than fifteen (15) units which are two (2) stories or less in height.

(ae) Multiple dwellings, other than those specified in (ad), having an occupancy of less than fifteen (15) units which are two (2) stories or less in height.

(af) Multiple dwellings, other than those specified in (ad), having an occupancy of less than fifteen (15) units which are more than two (2) stories in height.

(6) Electrical metallic tubing shall not be used in the ground floor slab or in any location where it would be in contact with the ground. All sizes of electrical metallic tubing shall have insulating liners or insulating bushings at each connector.

(7) Armoured cable or flexible conduit may be used only by special permission except that lengths of armoured cable or flexible conduit not to exceed thirty (30") inches may be used on motors or equipment.

(8) On panel and switchboards all circuits shall be identified by means of painting or other approved methods. Type S (non-temperable) fuses shall be required in all new fuse panels and in existing installations showing evidence of over-fusing.

(9) Portable type neon signs, phonographs, pinball machines, merchandise dispensers and the like shall be wired with not more than six (6') feet of flexible cord.

(10) Except with special permission of the Chief Building Official, service entrance conductors shall not be less than No. 6 AWG wire for a fifty (50) to sixty (60) ampere disconnect, No. 4 for seventy (70) amperes, No. 2 for one hundred (100) amperes and No. 4/0 for two hundred (200) amperes.

(11) All temporary power pole services shall be at least fifty (50) ampere capacity with properly protected outlets.

(b) Domestic Residences.

(1) Convenience outlets shall be wired with not less than No. 12 AWG wire.

(2) Automatic dishwashers, refrigerated coolers or any fixed motors rated over one third (1/3)

H.P. or any fixed appliance or device rated over one thousand (1000) watts shall be installed on a separate ~~conduit~~^{circuit} with not less than No. 12 AWG wire.

(3) Household electrical ranges shall be wired with not less than No. 6 AWG wire except that built-in cooking tops and ovens may have a smaller circuit run separately to each.

(4) All new dwellings of over nine hundred (900) square feet in area shall have a minimum of one hundred (100) ampere service.

(5) Service equipment shall be located on the outside of all dwellings. The outer end of the service raceway shall be terminated where it is accessible to the serving agency.

An approved type of semi-recessed meter socket-combination panel will be accepted for service equipment when provided with a rigid conduit riser that contains a grounded conductor, used with a threaded type weatherhead, and is provided with two (2) accessible insulated pullwires extending from the interior of the panel through minimum one (1") inch holes in the top and bottom plates. This may be placed within a hollow space of a frame building without overcurrent protection being required at the outer end. Locknuts and bushings on service riser conduit will not be acceptable.

(6) Approved service entrance cable may be used for service conductors, range, dryer and water heater circuits or sub-panel feeders.

(7) Bell or chime transformers shall be installed in metal boxes at fuse cabinets or mounted on outlet boxes adjacent thereto, or if in the attic, within three (3') feet of the scuttle hole.

(8) Where non-metallic wiring is used all grounding of noncurrent carrying metal parts or fixed equipment shall be done by means of a grounding conductor running in the same cable with the circuit conductors.

(9) No wall outlet shall be required in a clear space of less than four (4') feet.

(c) Apartment Houses, Hotels, Hospitals and Public Buildings.

(1) Lights sufficient to illuminate every public hallway, passageway, stairway, fire escape egress, elevator, water closet compartment, and toilet rooms shall be provided with separate circuits for the accommodation of the emergency lighting in apartment houses containing more than two (2) apartments above the first floor, hotels not more than two (2) stories in height, and public assemblies not above the second floor. Lights shall be kept burning twenty-four (24) hours per day and night throughout the year sufficient in volume to properly illuminate the above whenever there is insufficient natural light to permit a person to read in any part thereof.

(2) A separate service shall be required for the emergency lighting supply in each of the following:

(aa) Apartment houses containing three (3) floors or more;

(ab) Hotels three (3) stories or more in height;

(ac) Public assemblies located on the third floor or higher; and

(ad) For all hospitals.

(3) Every exit doorway from an area with an occupant load of more than fifty (50) persons shall be marked with an approved illuminated exit sign.

(d) Commercial and Industrial Buildings.

(1) Convenience outlets in commercial installations shall be wired with not less than No. 12 AWG wire with a maximum of six (6) outlets per circuit.

(2) Service equipment may be located at the nearest readily accessible point within the building served. The outer end of the service raceway shall be terminated where it is accessible to the serving agency. ✓

SEC. 9-3.111. SIGNS. All signs and outline lighting shall be provided with an approved disconnecting means that is so located as to be within sight of the sign and/or outline lighting and under the control of authorized sign service men, but not readily accessible to unauthorized persons. All signs shall bear the inspection label of the Underwriters' Laboratories, Inc.

SEC. 9-3.112. PENALTIES.. That Section 10 of the Uniform Electrical Code is hereby deleted.

SEC. 9-3.113. PENALTY PROVISIONS. Any person violating any of the provisions of this chapter, or any of the provisions of the Uniform Electrical Code or the National Electrical Code adopted by reference by Section 9-3.102 of this chapter, shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of said provisions is committed, continued or permitted, and upon the conviction of any such violation, such person shall be punishable by a fine of not more than One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment in the County Jail of the County of Stanislaus for not more than one year, or by both such fine and imprisonment.

ARTICLE 2. BOARD OF ELECTRICAL EXAMINERS

SEC. 9-3.201. DEFINITIONS. As used in this chapter the following terms are defined as follows:

(a) Electrical Contractor. A person who has a valid contractor's license in the proper classification issued by the State of California.

(b) Journeyman Electrician. A person who is engaged in or labors at the trade of electrician as an employee and who holds a valid Certificate of Competency.

(c) Maintenance Electrician. A person who is engaged in and regularly employed at the trade of electrician for the owner or occupant of a specified premise for the purpose of repairing, maintaining, altering or adding to existing electrical installations and who holds a valid Certificate of Competency.

(d) Apprentice Electrician. A person who is engaged in learning the trade of an electrician as an employee under the direct supervision and in the immediate presence of an electrical contractor, journeyman electrician or maintenance electrician.

SEC. 9-3.202. CERTIFICATE OF COMPETENCY. Before any person shall engage in or labor at the trade of electrician or maintenance electrician, he must be the holder of a Certificate of Competency issued by the Chief Building Official pursuant to the order therefor made by the Board of Electrical Examiners hereinafter provided for, after his requisite qualifications have been established by his passing an examination conducted by the Board, unless such person holds a valid Contractor's License in the proper classification issued by the State of California.

Any person possessing a valid Electrical Contractor's License issued by the State of California shall automatically be issued a Certificate of Competency by the Chief Building Official upon presentation of a valid license. Such person shall not be required to pay the fee for the Certificate of Competency established by Section 9-3.204(b) of this chapter.

SEC. 9-3.203. BOARD OF ELECTRICAL EXAMINERS.

(a) Creation. There is hereby created a Board of Electrical Examiners, hereinafter called the Board, which shall consist of five (5) members, two (2) of whom shall be electrical contractors licensed by the State of California, two (2) of whom shall be journeymen holding Certificates of Competency, and the Chief Building Official, or his designated representative. The members of this Board other than 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.

All of the members appointed to said Board shall hold office for their respective terms, unless sooner revoked for malfeasance in office, neglect of duty, incapacity or for any reason that the City Council deems to be the best interest of the City of Modesto. Said removal may be made by the City Council without granting to the person so removed a hearing, either public or private, and without the necessity of there being filed with said City Council or any other official or body of officials in said City any written charges. The dismissal by said Council of any member of said Board for any of the reasons herein stated shall be final and conclusive.

(b) Duties. The Board shall issue Certificates of Competency to such persons as may be entitled thereto, and conduct examinations for the purpose of determining the competency and knowledge of electrical work and codes of persons who are required to take such examinations. The examination shall, in the judgment of the Board, be such as to fairly determine the ability of the applicant to perform properly the work of an electrician or maintenance electrician as the case may be.

The Board shall keep an accurate record of all their official transactions and render such reports and statistics as may be required by the City.

The Board shall elect a chairman from their members who shall preside at all meetings. They shall adopt such rules and regulations as they see fit for the proper and efficient discharge of their official duties. They shall determine the character of the examination to be given any applicant and by majority vote pass or reject such applicant upon his showing as the case may.

SEC. 9-3.204. APPLICATION.

(a) General. Any person who is required by this Code to possess a Certificate of Competency shall make application therefor to the Board of Electrical Examiners on application forms provided for that purpose by the Secretary of the Board.

(b) Fee. A fee of Two and 50/100ths (\$2.50) Dollars shall be paid to the Board for the first and for every additional examination taken by any person applying to the Board for a Certificate of Competency. The Board shall pay all fees so collected to the Director of Finance.

SEC. 9-3.205. RE-EXAMINATION. Any person who fails to pass the examination as prescribed by the Board may apply for re-examination after the expiration of ninety (90) days. Should such person fail to pass a second time, the Board may refuse a third application until after the expiration of six (6) months. An application fee as prescribed in Section 9-3.204(b) shall be paid for each re-examination.

SEC. 9-3.206. TEMPORARY PERMIT. After a person claiming to be an electrician has made application and paid the examination fee, the Chief Building Official, in his discretion, may issue to such person having paid the fee, a temporary permit to engage in electrical work until the next examination is held by the Board. The Chief Building Official at any time may revoke such temporary permit.

SEC. 9-3.207. APPRENTICES.

(a) Supervision. No Certificate of Competency is required for an apprentice under the continuous supervision of an electrical contractor, journeyman electrician, or maintenance electrician. Supervision shall be considered continuous if the electrical contractor, journeyman electrician or maintenance electrician is not absent for more than one hour continuously nor more than two (2) hours total during any one day.

(b) Number of Apprentices. No more than one apprentice shall be employed for each electrical contractor, journeyman electrician or maintenance electrician on any one continuous parcel of land.

SEC. 9-3.208. RENEWAL OF CERTIFICATE. All Certificates of Competency shall expire on June 30th of each year. They may be renewed from year to year upon request and payment of the required renewal fee. If a renewal of a certificate is requested and the required fee paid within thirty (30) days after the expiration date of such certificate, the renewal fee shall be One and no/100ths (\$1.00) Dollar. If such renewal be

requested and the required fee paid more than thirty (30) days and less than ninety (90) days after the expiration date of such certificate the renewal fee shall be Two and no/100ths (\$2.00) Dollars. No certificate shall be renewed after ninety (90) days after the expiration date of such certificate.

SEC. 9-3.209. REVOCATION OF CERTIFICATE.

(a) The Board of Electrical Examiners, after a public hearing, may cancel any certificate issued by them to any person, if such person later shows incompetency or lack of knowledge in matters relevant to such certificate or if such certificate was obtained by fraud. If such certificate of any person be so cancelled or revoked, another such certificate shall not be granted to such person within twelve (12) months after the date of cancellation or revocation.

(b) Certificates are not transferable from one person to another and the lending of any certificate to another person shall be deemed cause for revocation.

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. 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 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of January, 1963, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

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 21st day of January, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 5, 1963

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

WHEREAS, a petition was filed with the City Clerk by
 Kenneth K. Kimes, W. M. Oates, Mabel Ann Arata, David L. Arata, Jr.,
Janice Patton, Mary Ann Gallo, V. E. Barton, Mildred E. Barton,
Roy W. Cornelius, Nora M. Cornelius, Sue C. Webb, Alford W. Webb,
Goldie E. Fair and Gordon Jaroch

on November 27, 1962, 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 FAIR
 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 December, 1962, set said petition for
 hearing at the hour of 4:30 o'clock p.m. on the 21st day of
January, 1963, in the Council Chambers at the
 City Hall, 801 Eleventh Street 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 cir-
 culation to wit: The Modesto Tribune, a newspaper
 published in the City of Modesto on December 20, 1962,
 and on December 27, 1962; and in the Turlock Daily
 Journal, a newspaper published outside the City of Modesto, but in
 the County of Stanislaus, on December 20, 1962,
 and on December 27, 1962, for the time and in the
 manner required by law, which publications were completed at least
 twenty (20) days prior to the date set for hearing; that written
 notice of the proposed annexation has been mailed by the City Clerk
 of the City of Modesto to each person to whom land within the terri-
 tory proposed to be annexed was assessed on the last equalized
 assessment roll available on the date the proceedings were initiated,

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

WHEREAS, on the 21st day of January, 1963, at the hour of 4:30 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 as the FAIR 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 real property 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 as established by the Allen Addition, as per description filed November 10, 1959, as Instrument 32914, Stanislaus County Records, said point also being on the Northeastern corner of said Allen Addition; thence along the existing City Limits the following bearings and distances, South $88^{\circ} 57'$ West, 80.00 feet, South $0^{\circ} 56'$ East, 21.56 feet, South $88^{\circ} 57'$ West, 275.00 feet; thence continuing along the existing City Limits, on a line parallel with and 25 feet at right angles Westerly from the Section Line common to Sections 20 and 21, said Section Line being the center line of a Public right of way known as McHenry Avenue, North $0^{\circ} 56'$ West, 1406.06 feet to the Southern line of a 40 foot Public Road known as Roseburg Avenue; thence along the Southern line of Roseburg Avenue, South $89^{\circ} 51'$ East, 237.00 feet to the Northeastern corner of property conveyed to Vito Gentile, et ux, as per deed recorded June 1, 1944, as Instrument 7768, Stanislaus County Records; thence along the Eastern line of said Gentile property, South $0^{\circ} 56'$ East, 98.00 feet, to the Northern line of property conveyed to Gladys G. Crane, as per deed recorded May 6, 1955, as Instrument 13441, Stanislaus County Records; thence along the Northern line of said Crane property, South $89^{\circ} 51'$ East, 80.00 feet, to the Northeastern corner of said Crane property; thence along the Eastern line of said Crane property, South $0^{\circ} 56'$ East, 196.00 feet, to the Northern line of a 40 foot Public Road known as Palm Avenue; thence along the Northern line of Palm Avenue, North $89^{\circ} 51'$ West, 80.00 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Alford W. Webb, et ux, as per deed recorded April 15, 1955, as Instrument 11168, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South $0^{\circ} 56'$ East, 176.90 feet, to the Northern line of property conveyed to Alford W. Webb, et ux, as per deed recorded November 23, 1960, as Instrument 33354, Stanislaus County Records; thence along the Northern line of said Webb property, South $89^{\circ} 51'$ East, 80.65 feet, to the Northeastern corner of said Webb property; thence along the Eastern line of said Webb property, South $0^{\circ} 56'$ East, 126.65 feet, to the Northern line of a 50 foot Public Road known as Corson Avenue; thence along the Northern line of Corson Avenue, North $89^{\circ} 51'$ West, 3.75 feet, to its intersection with the Northerly extension of the Eastern line of the property conveyed to Goldie Fair, as per deed recorded November 25, 1960, as Instrument 33513, Stanislaus County Records; thence along said Eastern line and its Northerly extension and the Eastern line of properties conveyed to V. E. Barton, et ux, as per deed recorded March 8, 1960, as Instrument 6707, Roy E. Cornelius, et ux, as per deed recorded April 23, 1959, as Instrument 11783, Fay M. McNary, as per deed recorded February 1, 1943, as Instrument 1462, and Lawrence E. Meeker, et ux, as per deed recorded March 23, 1956, as Instrument 8313, Stanislaus County Records, South $0^{\circ} 56'$ East, 360.00 feet, to the Northern line of a 40 foot Public Road known as Fairmont Avenue; thence along the Northern line of Fairmont Avenue, North $89^{\circ} 51'$ West, 69.22 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to Milton E. L. Loewenthal, as per deed recorded January 14, 1947, as Instrument 1071, Stanislaus County Records; thence along said Eastern line and its Northerly extension, South $0^{\circ} 56'$ East, 123.26 feet, to the Northern line of property conveyed to Kenneth K. Kimes, et al, as per deed recorded June 23, 1961, as Instrument 19927, Stanislaus County Records; thence along the Northern line of said Kimes property, South $89^{\circ} 51'$ East, 119.99 feet, to the Northeastern corner of said Kimes property; thence along the Eastern line of said Kimes property and the Eastern line of property conveyed to David L. Arata, as per deed recorded January 21, 1955, as Instrument 1964, Stanislaus County Records, South $0^{\circ} 56'$ East, 195.47 feet, to the Southeastern corner of said Arata property; thence along the Southern line of said Arata property, North $88^{\circ} 50'$ West, 9.47 feet, to its intersection with the Northerly extension of the Eastern line of property conveyed to H. E. Austin, et ux, as per deed recorded September 30, 1952, as Instrument 23941, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Austin property, South $0^{\circ} 51' 06''$ East, 100.94 feet, to the point of beginning, containing 9.755 Acres more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 21st day of January, 1963, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED:


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 11-1.05 OF CHAPTER 1 OF TITLE XI OF THE MODESTO MUNICIPAL CODE RELATING TO WATER RATES AND REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 11-1.05 of Chapter 1 of Title XI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 11-1.05. METERED SERVICES. (a) All hotels, lodging houses, apartments, duplex houses, camp grounds, office buildings, eating houses, commercial establishments, industrial plants, theaters, hospitals, laundries, dance halls, warehouses, bus stations, milk plants, manufacturing establishments, service stations, wash racks, cooling systems, and any or all other places offering services to the public or commodities for sale, as well as owners of gardens using water for irrigation of flowers and vegetables to be used commercially, must be equipped with meters and shall be charged for water on the metered rate as specified in Section 11-1.06 of this Chapter.

(b) All buildings of any kind whatsoever, whether industrial, commercial, or residential, heretofore or hereafter equipped with water using heat pumps or refrigeration units shall be equipped with meters and shall be charged for water on the metered rate as specified in Section 11-1.06 of this Chapter.

(c) Each swimming pool and bathing pool heretofore or hereafter constructed shall be metered except those located on residential property and equipped with a filtering system meeting the standards approved by the Director of Public Works; provided, further, that every swimming pool and bathing pool heretofore or hereafter constructed which is used commercially or by a closed membership association or corporation shall be metered. The connection fee and water rates for pools required to be metered shall be as provided for other metered connections.

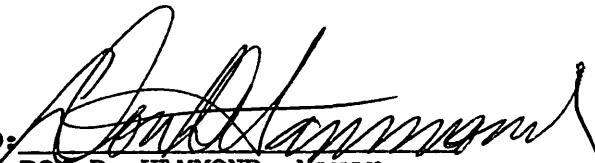
SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety, in order to provide water services for domestic and fire fighting purposes to property.

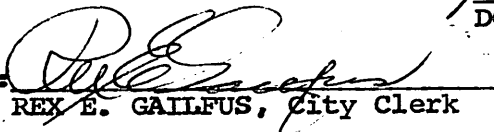
SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, being an emergency ordinance, this ordinance shall take effect and be in full force and operation as of the date of its adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full in The Modesto Tribune, 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 21st day of January, 1963, by Councilman Patton, who moved its adoption and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ADDING SECTION 5-3.02 TO CHAPTER 3 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO PASTEURIZATION OF MILK.

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

SECTION 1. AMENDMENT OF CODE. Section 5-3.02 is hereby added to Chapter 3 of Title V of the Modesto Municipal Code to read as follows:

SEC. 5-3.02. STANDARDS. Grade A milk or cream for distribution or sale in the City shall be pasteurized.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, 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 February, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Patton, Shastid

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 11th day of February, 1963, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 13, 1963

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

WHEREAS, on the 26th day of December, 1962, pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, the Council of the City of Modesto, on its own motion, adopted Resolution No. 62-623 giving notice of the proposed annexation of certain uninhabited territory to the City of Modesto, hereinafter described and designated as DOWNEY PARK ADDITION, / BRIGHTON AVENUE PARK ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, said Resolution No. 62-623 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 Tribune, a newspaper published in the City of Modesto on January 10, 1963, and January 17, 1963; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on January 10, 1963, and January 17, 1963, 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 was 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 11th day of February, 1963, at the hour of 8:00 o'clock p.m., in the Council Chambers in the City Hall at 801 11th Street ~~MEMORIAL PUBLIC GOLF COURSE~~ 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 DOWNEY previously referred to as BRIGHTON AVENUE PARK ADDITION, / PARK 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:

DOWNEY
~~BRIGHTON AVENUE~~ PARK ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being that portion of Lot 20 of the BROUGHTON COLONY as per map filed March 17, 1904 in Volume 1 of Maps, page 78, Stanislaus County Records as conveyed to the City of Modesto by deed recorded October 30, 1961 as Instruments 39818 and 39819, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said corner also being the Northeastern corner of the Downey High School Addition as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records; thence along the existing City Limits and Northern line of the Downey High School Addition, North $89^{\circ} 59' 45''$ West, 958.88 feet, to the Southwestern corner of the City Property; thence along the Western line of said City Property, North $00^{\circ} 27'$ West, 493.51 feet, to the Northwestern corner of said City Property; thence along the Northern line of said City Property, North $89^{\circ} 57' 30''$ East, 958.30 feet, to the Northeastern corner of said City Property, said corner being on the existing City Limits as established by the Western line of the Lorenzen Addition; thence along the existing City Limits and the Western line of said Lorenzen Addition, South $00^{\circ} 30' 30''$ East, 494.05 feet, to the point of beginning, containing 10.879 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 Tribune, 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 February, 1963, by Councilman Johansen, who moved its adoption and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX B. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 31 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MacDANNALD, RAINES, HASSAPAKIS AND OLLAR)

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

SECTION 1. ZONING CHANGE. Section 31 of the Zoning Map is hereby amended to reclassify the following described property from Planned-Development Zone, P-D(8) to Planned-Development Zone, P-D (13):

Beginning at a point 160 feet east of the north-west corner of Lot 5 of the Spencer Colony; thence south $0^{\circ} 30'$ east a distance of 100 feet; thence south $89^{\circ} 55' 37''$ West a distance of 160 feet to the center line of Emerald Avenue; thence south $0^{\circ} 30'$ East along said center line of Emerald Avenue a distance of 6.50 feet; thence north $89^{\circ} 30'$ East a distance of 158.00 feet; thence south $0^{\circ} 30'$ East a distance of 95.60 feet; thence south $89^{\circ} 55' 37''$ West a distance of 158 feet to the center line of Emerald Avenue; thence south $0^{\circ} 30'$ East along said center line of Emerald Avenue a distance of 60.00 feet; thence north $89^{\circ} 55' 37''$ East a distance of 260 feet; thence south $0^{\circ} 30'$ East a distance of 163.55 feet; thence north $89^{\circ} 55' 37''$ East a distance of 495.73 feet to the west right of way line of Modesto Irrigation District Lateral Number 5; thence North $3^{\circ} 34' 23''$ West along said west right of way line a distance of 361.03 feet; thence continuing along said west right of way line along a curve concave to the east having a radius of 420.00 feet, through a central angle of $8^{\circ} 46' 31''$, a curve distance of 64.33 feet to the north line of Lot 5 of said Spencer Colony; thence south $89^{\circ} 55' 37''$ West along the north line of said Lot 5 a distance of 577.85 feet to the point of beginning, being located east of Emerald Avenue south of Franklin School.

SECTION 2. USES. The following uses shall be permitted in said P-D (13) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

- (a) Forty-four (44) apartments.
- (b) Three (3) existing dwellings.

SECTION 3. ZONING MAP. 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 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) /~~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 Tribune, 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 February, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

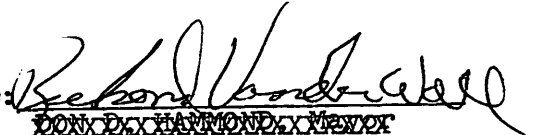
Ordinance 566 C.S.

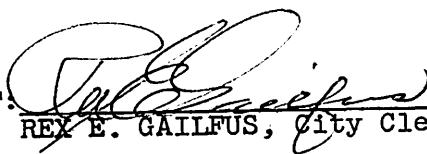
Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

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 February, 1963, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, Mayor pro tempore VanderWall
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Patton, Mayor Hammond

APPROVED: 
~~DOUGLAS HARMOND, Mayor~~
RICHARD VANDERWALL, Mayor
pro tempore

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 27, 1963

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

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

SECTION 1. ZONING CHANGE. Section 21 of the Zoning

Map is hereby amended to reclassify the following described property

from One-Family Zone, R-1,

to General Commercial Zone, C-2 :

Beginning at a point on the westerly extension of the southern line of Lot 15 of Mensinger Colony and the city limits line as established by the North Central Addition; thence north 0° 56' West, along the eastern line of the North Central Addition, 330.33 feet to the westerly extension of the northern line of Lot 15 of Mensinger Colony; thence South 89° 48' East, 674.90 feet; thence South 0° 50' East, 330.24 feet; thence along the Southern line of Lot 15 and its Westerly extension, North 89° 49' West, 674.80 feet to the point of beginning.

SECTION 2. ZONING MAP. Section Map 21 of the Zoning

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

SECTION 3. EFFECTIVE DATE. This ordinance shall go into

effect and be in full force and operation from and after ~~sixty~~ thirty

(30)

~~days~~ days after its final passage and adoption.

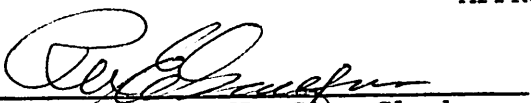
SECTION 4. PUBLICATION. This ordinance shall be pub-

lished in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 February, 1963, by Councilman Shastid, 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: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 567 C.S.

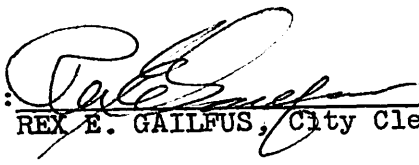
Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

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 4th day of March, 1963, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 3, 1963

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, RELATING TO THE BUILDING CODE.

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

SECTION 1. AMENDMENT OF CODE. Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

CHAPTER 1 - BUILDING CODE

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, 1961 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 therefor, 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.

SEC. 9-1.02. ADDITION OF "MODESTO" AND "CALIFORNIA" IN PROPER PLACES IN SAID CODE. That the name, "Modesto" and/or "California" be inserted in the appropriate places provided therefor in each and every section of said Building Code wherein the City or the State is left blank.

SEC. 9-1.03. ORGANIZATION AND ENFORCEMENT. That subsections (e) and (f) of Section 202 of said Building Code be amended to read as follows:

(e) Stop Orders. Whenever any building work is done contrary to provisions of this Code, or contrary to any of the provisions of the Modesto Municipal Code, heretofore or hereafter adopted, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(f) Occupancy Violations. Whenever any structure is being used contrary to the provisions of this Code, or any of the provisions of the Modesto Municipal Code, heretofore or hereafter adopted, the Building Official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within ten (10) days after receipt of such notice or make the structure, or portion thereof, comply with the requirements of this Code; provided, however, that in the event of an unsafe building Section 203 shall apply.

SEC. 9-1.03.1. UNSAFE BUILDINGS. That subsections (d) and (e) of Section 203 of said Building Code be amended to read as follows:

(d) Right to Demolish. In case the owner shall fail, neglect, or refuse to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the City Council may order the owner of the building prosecuted as a violator of the provisions of this Code and may order the Building Official to proceed with the work specified in such notice. A statement of the cost of such work shall be transmitted to the City Council, who shall cause the same to be paid. The cost, when confirmed by the City Council, shall constitute a special assessment against the parcel of property, and shall be a lien on the property for the amount thereof, which lien shall continue until the assessment and all interest thereon is paid, or until it is discharged of record. The special assessment shall be collected in accordance with the procedure contained in Sections 5893 and 5894 of the Streets and Highways Code of the State of California.

(e) Costs. Costs incurred under subsection (d) shall be paid out of the City Treasury. Such costs shall be charged to the owner of the premises involved as a special assessment and lien on the land on which the building or structure is located, and shall be collected in the manner provided for special assessments in Sections 5893 and 5894 of the Streets and Highways Code of the State of California.

SEC. 9-1.04. BOARD OF APPEALS. That Section 204 of said Building Code is hereby deleted.

SEC. 9-1.05. VIOLATIONS AND PENALTIES. That Section 205 of said Building Code is hereby deleted.

SEC. 9-1.06. PERMITS AND INSPECTION. That subsections (a), (c) and (e) of Section 302 of said Building Code be amended to read as follows:

(a) Issuance. The application, plans and specifications filed by an applicant for a permit shall be checked by the Building Official. Such plans shall be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction, including all provisions of the Modesto Municipal Code, heretofore or hereafter adopted. If the Building Official is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of this Code, and other pertinent laws and ordinances, including any and all provisions of the Modesto Municipal Code, heretofore or hereafter adopted, including without limitation, the provisions of the zoning regulations, and that the fee specified in Section 303 (a) has been paid, he shall issue a permit therefor to the applicant.

When the Building Official issues the permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED". Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved provided adequate information and detailed

statements have been filed complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his own risk without assurance that the permit for the entire building or structure will be granted.

(c) Validity. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance of the City, including any and all provisions of the Modesto Municipal Code, heretofore or hereafter adopted. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based upon plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on thereunder when in violation of this Code or of any other ordinance of the City, including any and all provisions of the Modesto Municipal Code, heretofore or hereafter adopted.

(e) Suspension or Revocation. The Building Official may, in writing, after a public hearing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation, including any and all provisions of the Modesto Municipal Code, heretofore or hereafter adopted, or any of the provisions of this Code.

SEC. 9-1.07. 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.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official.

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 a permit, the applicant for such a permit shall pay double the permit fee fixed by this section for the

first violation and shall pay ten (10) times the permit fee fixed by this section or Twenty-Five and no/100ths (\$25.00) Dollars, whichever is greater, for each subsequent violation. Payment of such increased 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. Emergency work, when urgently necessary and so performed to the satisfaction of the Chief Building Official, shall not be subject to these increased fees provided that in all such cases a permit is obtained as soon as practicable as determined by the Chief Building Official.

(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 ($\frac{1}{2}$) 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.

SEC. 9-1.08. 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.

SEC. 9-1.09. DEFINITION OF "PERSON". That the term "person" as defined in Section 417 of said Building Code is hereby deleted.

SEC. 9-1.10. 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.

SEC. 9-1.11. 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.

SEC. 9-1.12. 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.

SEC. 9-1.13. FIRE WARNING SIGNALS. That Section 1310 be added to said Building Code to read as follows:

Section 1310. Audible fire warning signals shall be placed in all halls and corridors in all Group H buildings. The warning signals shall be constructed so as to be clearly heard throughout the floor area it serves. No signal shall be installed until approved by the Fire Chief. Alarm signals shall be run from each floor to the main lobby desk. Employees shall be instructed in the use of fire warning signals and fire extinguishing appliances.

SEC. 9-1.14. RESTRICTIONS IN FIRE ZONES. That subsection (a) of Section 1601 of said Building Code be amended to read as follows:

(a) Fire Zones Defined. For the purpose of this Code, the entire City is hereby declared to be and is hereby established a Fire District and said Fire District shall be known and designated as Fire Zones 1, 2 and 3, and shall include such territory or portions of said City as outlined in Section 3-1.201 of Article 2 of Chapter 1 of Title III of the Modesto Municipal Code. Whenever in this Code reference is made to any fire zone, it shall be construed to mean one of the fire zones created by said section.

SEC. 9-1.15. 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 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.

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, and Group H 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.

SEC. 9-1.16. WATER HEATERS INSTALLED IN GARAGES. That subsection (b) of Section 5107 of said Building Code be amended to read as follows:

(b) Water Heaters Installed in Garages. Water heaters installed in garages or other areas where they may be subjected to mechanical damage shall be suitably guarded against such damage by being installed behind protective barriers, or located out of the normal path of a vehicle using such garage and must be elevated a minimum of eighteen (18") inches above garage floor.

SEC. 9-1.17. SECTIONS TO BE DELETED FROM BUILDING CODE. Sections 6003 and 6004 of said Building Code are hereby deleted.

SEC. 9-1.18. HEIGHT LIMITS. No person shall erect, alter, allow to grow, or maintain in the City any building structure, tower, pole, smokestack or tree to a height in excess of one hundred fifty (150') feet.

SEC. 9-1.19. 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 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 9-1.07 of this Code.

SEC. 9-1.20. 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 gravel (three-fourths (3/4") inches gravel preferred) 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) One-half ($\frac{1}{2}$ ") inch of clean sand shall be placed on membrane water proofing before placing of concrete.

(d) Minimum thickness of concrete shall be three and one-half ($3\frac{1}{2}$ ") inches.

SEC. 9-1.21. PENALTY PROVISIONS. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this chapter or any of the provisions of the Uniform Building Code, adopted by reference by Section 9-1.01 of this chapter.

Any person violating any of the provisions of this chapter or any of the provisions of the Uniform Building Code shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of said provisions is committed, continued or permitted, and upon the conviction of any such violation, such person shall be punishable by a fine of not more than One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment in the County Jail of the County of Stanislaus for not more than one year, or by both such fine and imprisonment.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) ~~thirty (15)~~ days after its final passage and adoption.

SECTION 3. 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 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 Tribune, 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 February, 1963, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

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 25th day of February, 1963, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Mayor Hammond

APPROVED:


~~FOR THE BOARD OF SUPERVISORS~~
RICHARD VANDERWALL, Mayor
pro tempore

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 27, 1963

AN ORDINANCE AMENDING 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. Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

CHAPTER 2 - PLUMBING CODE

ARTICLE 1. GENERAL PROVISIONS

SEC. 9-2.101. 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, 1961 Edition", adopted by the Western Plumbing Officials Association, which said Code provides for the protection of the public health and safety, and the qualification of persons laboring at the trade of plumbing; requires a permit for the installation or alteration of plumbing and drainage systems; creates an administrative office and a Board of Plumbing Examiners and prescribes their duties; defines certain terms; establishes minimum regulations for the installation, alteration or repair of plumbing and drainage systems and the inspection thereof; provides penalties for the violation thereof and repeals conflicting ordinances, as hereinafter amended, deleted and added to, be and the same is hereby adopted by reference as the Plumbing Code of the City of Modesto.

SEC. 9-2.102. DESIGNATION. That the name, "Modesto" and/or "California" be inserted in the appropriate places provided therefor in each and every section of said Plumbing Code wherein either the name of the City or the State is left blank.

SEC. 9-2.103. ADMINISTRATIVE AUTHORITY AND ASSISTANTS. That the words "Chief Building Official" be inserted in the blank space provided in Section 1.1 of said Plumbing Code.

SEC. 9-2.104. ASSISTANTS. That the words "Building Inspectors" be inserted in the blank space provided in Section 1.2 of said Plumbing Code.

SEC. 9-2.105. 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. 9-2.106. DUTIES OF THE ADMINISTRATIVE AUTHORITY. That subsections (2) and (9) of Section 1.4 of said Plumbing Code are hereby deleted.

SEC. 9-2.107. VIOLATIONS AND PENALTIES. That Section 1.7 of said Plumbing Code is hereby deleted.

SEC. 9-2.108. BUSINESS LICENSE REQUIRED. Before any person shall engage in the business of performing or

doing plumbing work in the City, he shall first procure the necessary business license from the Director of Finance, in accordance with the provisions of Chapter 1 of Title VI of this Code.

SEC. 9-2.109. NONRESPONSIBILITY OF THE CITY. Neither the City of Modesto nor any department, nor any board, commission, officer or employee thereof shall be held liable or responsible for any damage or injury caused by or resulting from the issuance of or failure to issue or the revocation of any permit or certificate of inspection or the making of any inspection made under the provisions of this chapter.

SEC. 9-2.110. TO WHOM PERMITS MAY BE ISSUED. That Section 1.10 of said Plumbing Code be amended to read as follows:

Section 1.10. (a) Application for a plumbing permit, describing the work to be done, shall be made in writing to the Chief Building Official by the person, firm or corporation installing the work.

(b) The Chief Building Official may issue to an individual a special owner's permit authorizing said individual to do plumbing work in, on or about a building of which said individual is owner and in which he resides or intends to reside but not elsewhere; provided, that no plumbing work authorized under any such special owner's permit shall be done, nor shall the owner holding any such permit allow any such work to be done, except personally by the owner to whom the permit is issued, or by a member of his immediate family; and if this or any other provision hereof shall be violated by the holder of such special owner's permit, such permit shall be subject to immediate cancellation by the Chief Building Official and the holder thereof shall be liable to the penalty herein provided for violation of this Code.

(c) 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 Plumbing Examiners, or have in their employ such person who shall have passed such examination, unless such person holds a valid Contractor's License in the proper classification issued by the State of California, as specified in Section 9-2.202 of this chapter.

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.

(d) Every person selling water-using appliances in the City shall keep an accurate record of 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. 9-2.111. COST OF PERMITS. That Section 1.12 of said Plumbing Code be amended to read as follows:

Section 1.12. (a) 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 at the time of issuance, a fee in accordance with the following schedule, and at a rate provided for in each classification shown therein.

(b) Whenever plumbing work is commenced other than stated herein and for which a plumbing permit is subsequently permitted to be obtained, the applicant for such permit shall pay double the permit fee fixed by this section for the first violation and shall pay ten (10) times the permit fee fixed by this section or Twenty-Five and no/100ths (\$25.00) Dollars, whichever is greater, for each subsequent violation. Emergency work, when urgently necessary and so proven to the satisfaction of the Chief Building Official, shall not be subject to these increased fees providing that in all such cases a permit is obtained as soon as practicable.

(c) 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 Heaters, Space Heaters, Conversion Burners, Miscellaneous . . . . .	.50

(d) No plumbing permit fee shall be required for the issuance of a plumbing permit to any governmental agency.

SEC. 9-2.112. 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.

SEC. 9-2.113. RAINWATER PIPING. That Section 410 be added to said Plumbing Code to read as follows:

Section 410. (a) No overflow from a cistern, tank, expansion tank, drip pan or other device shall be directly connected to any soil waste or vent pipe, house drain or house sewer.

(b) Rain water from roofs or other approved areas exposed to rain water may be drained into the storm water drainage system, but shall not drain into any sewer intended for sanitary sewage. A permit shall be procured in all cases to connect rain water drainage to the storm water drainage system.

Rain water from roofs or other approved areas may drain into the public street gutter; provided, that such gutter is paved and runs to a catch basin connected to the storm drain.

Rain water from roofs or other approved areas may drain into a system of drainage piping designed to allow such drainage to be absorbed by the soil of the premises or may discharge upon the premises outside the building walls.

(c) No rain water from roofs or other rain water drainages of premises shall discharge upon a public sidewalk. When it is desired to conduct rain water from a building or premises to a public street gutter, the outside underground piping shall be cast iron soil pipe. Water leaders connecting to such underground drainage piping, which are on the outside of a building wall that abuts on a public thoroughfare, shall be constructed of cast iron pipe for a distance of five (5') feet vertically above grade.

(d) No sheet metal water leader shall be installed on the inside of a building, inner court or vent shaft. No sheet metal leader shall be directly connected to any drainage system which connects to a public sewer.

(e) When an existing sheet metal water leader pipe within the walls of a building becomes defective, such water leader shall be replaced with one which conforms to this Code.

(f) All underground roof and area rain water drainage piping within the walls of a building shall be cast iron pipe and fittings and all such piping above ground shall be cast iron pipe and fittings or galvanized wrought iron or steel pipe with drainage fittings of approved standards.

(g) Except the feeding of rain water leader traps as herein required, no water leader or other rain water piping shall be used as a soil, waste or vent pipe nor shall any soil, waste or vent pipe be used as a rain water leader.

(h) Rain water leaders connecting to the storm water drainage system, shall be effectively trapped if such water leader opening is within twelve (12') feet of a side or rear property line which does not abut on a public street or alley, or if such rain water leader opening is within twelve (12') feet of any door or window or other source of ventilation or fresh air supply to any building. All water leaders may be served by one master trap or each leader may be trapped separately. All water leader traps shall have their seals maintained by an automatic priming device, designed and installed for that purpose. When a rain water drainage system is served by one trap, such trap shall be provided with a fresh air inlet, not less than four (4") inches in diameter, which shall lead to the outer air and be provided with an approved cowl or grating so installed as to prevent the entrance of soil, stones or other objectionable material.

(i) All roof boxes connected to concealed rain water leaders (if made of light metal) shall be made by means of a lead stub and caulking ferrule which shall be firmly caulked with lead and oakum into said rain water leader and the other end of lead stub to be firmly soldered to roof box. Cast iron roof drains may be screwed or caulked to their respective rain water leaders.

(j) Rain water from paved or unpaved areas shall not drain into the sanitary sewer system but may drain to the street gutter or storm water drainage system. All such rain water shall drain to a sump constructed of concrete with bottom and walls not less than four (4") inches in thickness. All sumps shall be provided with a trap formed by turning down the outlet pipe with a forty-five (45°) degree bend so as to maintain a water seal of not less than twelve (12") inches. No part of such seal shall protrude inside the sump. All sumps shall be not less than eighteen (18") inches wide and eighteen (18") inches long and two (2') feet deep and be provided with suitable grates that may be removed for cleaning purposes.

SEC. 9-2.114. VENT TERMINATION. That subsection (b) of Section 506 of said Plumbing Code be amended to read as follows:

(b) (1) Every vent shall terminate not less than ten (10') feet from, or at least three (3') feet above, any window, door, opening, air intake or vent shaft. ✓

(2) Every vent pipe (except in one and two (2) family residence districts and/or street and alley frontage) shall terminate in every direction not less than ten (10') feet from any building or lot line.

SEC. 9-2.115. VENT TERMINATION. That Section 506 of said Plumbing Code be amended by adding subsection (f) thereto to read as follows:

(f) Each vent terminal shall be made watertight with roof by proper flashing.

SEC. 9-2.116. FOOD STORAGE AND PREPARATION. That Section 601 of said Plumbing Code be amended to read as follows:

Section 601. No cold storage room, refrigerator, cooling counter, compartment, receptacle, appurtenance or device which is used, designed or intended to be used for the manufacture, preparation, storage or handling of food or drinks, shall have any drain pipe in connection therewith directly connected to any soil, waste or vent pipe. Such equipment shall be drained by means of indirect waste pipes as defined in Chapter 1 of said Plumbing Code and all wastes drained by them shall discharge into an open floor sink or other approved type receptor which is properly connected to the drainage system and shall terminate at least one (1") inch above the overflow rim of such fixture.

The foregoing need not apply to any dishwashing or culinary sink in any food preparation room unless such receptacle is used for soaking or washing ready-to-serve food.

SEC. 9-2.117. COOLING WATER. That Section 609 of said Plumbing Code be amended to read as follows:

Section 609. (a) Evaporative coolers hereafter installed, replaced or repaired in any place of business of whatsoever nature shall be provided with a recirculating pump installed in a suitable pan constructed of galvanized metal or other material of equal durability. All water supplying such pans shall be provided with a float valve so installed that the outlet of such valve shall be set two (2") inches above the extreme overflow level of the pan. A shutoff valve shall be installed near the inlet to the float valve.

(b) Appliances, devices or apparatus not regularly classed as plumbing fixtures but which have drip or drainage outlets shall be drained by special waste pipes discharging into an approved hopper or floor drain which is properly trapped and vented.

(c) Clean running water used exclusively as a cooling medium in an appliance, device or apparatus (not regularly classed as plumbing fixture), not to exceed twenty-five (25) gallons per hour, may discharge into an approved plumbing fixture or hopper which is properly trapped and vented. Not more than twenty-five (25) gallons per hour of discharge from such appliance, device or apparatus will be allowed to any one place of business.

(d) Clean running water used exclusively as a cooling medium in excess of twenty-five (25) gallons per hour and not more than four (4) gallons per hour per front foot of the place of business and not more than two hundred (200) gallons per hour for any place of business or building may discharge into the street, gutter or any other location approved by the Director of Public Works. Any apparatus or device which discharges more than four (4) gallons per hour per front foot of any place of business and more than two hundred

(200) gallons per hour for any place of business or building shall be so arranged that the cooling water can be re-used; such as cooling towers, evaporative condensers or other approved means, or may discharge into the public storm sewer if such storm sewer be available. All water used as a cooling medium shall be so arranged that the water discharging therefrom (except cooling towers or evaporative condensers) will be automatically shut off when the apparatus is not running.

(e) Approved backflow preventers shall be installed whenever necessary so that no water of whatsoever nature can be siphoned back into the potable water supply.

SEC. 9-2.118. JOINTS AND CONNECTIONS. TYPES OF JOINTS. That subsection (g) of Section 802 of said Plumbing Code is hereby deleted.

SEC. 9-2.119. USE OF JOINTS. That subsection (a) of Section 803 of said Plumbing Code be amended to read as follows:

(a) Clay Sewer Pipe. Joints in vitrified clay pipe shall be made as provided in subsection (f) of Section 802.

SEC. 9-2.120. WATER PRESSURE, PRESSURE REGULATORS AND PRESSURE RELIEF VALVES. That Section 1007 of said Plumbing Code be amended to read as follows:

Section 1007. (a) Inadequate Water Pumps. Whenever the water pressure in the main or other source of supply will not provide a water pressure of at least fifteen (15) pounds per square inch after allowing for friction and other pressure losses, a tank and pump or other means which will provide said fifteen (15) pound pressure shall be installed.

(b) Excessive Water Pressure. Where the local water pressure is in excess of one hundred twenty-five (125) pounds per square inch, an approved type pressure regulator shall be installed and the pressure reduced to one hundred twenty-five (125) pounds per square inch or less. However, all pipe size determinations must be based upon eighty (80%) per cent of the reduced pressure.

(c) All water heating appliances under pressure shall be provided with an automatic combination pressure and relief valve.

(d) Valve shall be installed either directly in the tank in a tapping provided for this purpose not over six (6") inches down from the top of the tank or in the hot water service line leading from the top of the tank and within three (3") inches of the tank tapping.

(e) Pressure relief discharge shall be set at twenty (20) to thirty (30) pounds above maximum service pressure and shall be rated to limit the pressure rise by thermal expansion for any given heat input to ten (10%) per cent of the pressure at which the valve is set to open. However, the setting must not be in excess of the rated working pressure of the tank.

(f) Temperature relief discharge shall be set to open at two hundred ten (210°) degrees and shall have a BTU temperature relieving capacity rating at least equal to the gross input of all connected heaters to prevent any further rise in temperature.

(g) Valve outlet or discharge opening such valve shall be piped in such manner so that the hot water discharged therefrom will not damage property or injure persons. Drain piping shall be non-ferrous and not less than the valve outlet size.

SEC. 9-2.121. HOUSE SEWER MATERIALS. That subsection (a) of Section 1103 of said Plumbing Code be amended to read as follows:

(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 bituminized fibre sewer pipe or approved equal.

SEC. 9-2.122. DEFINITIONS. That Section 1202 of said Plumbing Code be amended by adding subsection (f) thereto to read as follows:

(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, 1961 Edition.

SEC. 9-2.123. PERMIT. That Section 1203 of said Plumbing Code be amended by adding subsection (d) thereto to read as follows:

(d) Every person selling gas 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. 9-2.124. PROTECTION FROM DAMAGE. That Section 1310 of said Plumbing Code be amended to read as follows:

Section 1310. Water heaters installed in garages or other areas where they may be subject to mechanical damage shall be suitably guarded against such damage by being installed behind protective barriers, or located out of the normal path of a vehicle using such garage and must be elevated a minimum of eighteen (18") inches above the garage floor.

SEC. 9-2.125. PRESSURE RELIEF VALVES. That Section 1313 of said Plumbing Code be amended to read as follows:

Section 1313. All water heating appliances under pressure shall conform to the requirements set forth in Section 1007 of this Code, as amended.

SEC. 9-2.126. PENALTY PROVISIONS. Any person violating any of the provisions of this chapter or any of the provisions of the Uniform Plumbing Code, adopted by reference by Section 9-2.101 of this chapter, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment in the County Jail of the County of Stanislaus for not to exceed one year, or by both such

fine and imprisonment. Each separate day or any portion thereof during which any violation of this chapter or any violation of the Uniform Plumbing Code occurs or continues shall be deemed to constitute a separate offense and upon conviction thereof shall be punishable as herein provided.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or any of the provisions of the Uniform Plumbing Code. No permit presuming to give authority to violate or cancel any of said provisions shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit upon plans and specifications shall not prevent the Chief Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this chapter or the Uniform Plumbing Code or of any other law or from revoking any Certificate of Approval when issued in error.

Every permit issued by the Chief Building Official under the provisions of this chapter shall be null and void if the work authorized by such permit is not commenced within sixty (60) days from the date of such permit or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred twenty (120) days. Before such work can be recommenced a new permit shall be obtained and the fee therefor shall be one half ($\frac{1}{2}$) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year.

ARTICLE 2. BOARD OF PLUMBING EXAMINERS

SEC. 9-2.201. DEFINITIONS. For the purposes of this chapter, the following terms are defined as follows:

(a) Plumbing Contractor. A person who has a valid contractor's license in the proper classification issued by the State of California.

(b) Journeyman Plumber. A person who is engaged in or labors at the trade of plumber as an employee and who holds a valid Certificate of Competency.

(c) Apprentice Plumber. A person who is engaged in learning the trade of a plumber as an employee under the direct supervision and in the immediate presence of a plumbing contractor or journeyman plumber.

SEC. 9-2.202. CERTIFICATE OF COMPETENCY. Before any person shall engage in or labor at the trade of plumber, he must be the holder of a Certificate of Competency issued by the Chief Building Official pursuant to the order therefor made by the Board of Plumbing Examiners hereinafter provided for, after his requisite qualifications have been established by his passing an

examination conducted by the Board, unless such person holds a valid Contractor's License in the proper classification issued by the State of California.

Any person possessing a valid Plumbing Contractor's License issued by the State of California shall automatically be issued a Certificate of Competency by the Chief Building Official upon presentation of a valid license. Such person shall not be required to pay the fee for the Certificate of Competency established by Section 9-2.205(b) of this chapter.

SEC. 9-2.203. BOARD OF PLUMBING EXAMINERS.

(a) Creation. There is hereby created a Board of Plumbing Examiners, hereinafter called the Board, 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.

All of the members appointed to said Board shall hold office for their respective terms, unless sooner revoked for malfeasance in office, neglect of duty, incapacity or for any reason that the City Council deems to be the best interest of the City of Modesto. Said removal may be made by the City Council without granting to the person so removed a hearing, either public or private, and without the necessity of there being filed with said City Council or any other official or body of officials in said City any written charges. The dismissal by said Council of any member of said Board for any of the reasons herein stated shall be final and conclusive.

(b) Duties. The Board shall issue Certificates of Competency to such persons as may be entitled thereto and conduct examinations for the purpose of determining the competency and knowledge of plumbing work and codes of persons who are required to take such examinations. The examination shall, in the judgment of the Board, be such as to fairly determine the ability of the applicant to perform properly the work of a plumber.

The Board shall keep an accurate record of all their official transactions and render such reports and statistics as may be required by the City.

The Board shall elect a chairman from their members who shall preside at all meetings. They shall adopt such rules and regulations as they see fit for the proper and efficient discharge of their official duties. They shall determine the character of the examination to be given any applicant and by majority vote pass or reject such applicant upon his showing as the case may be.

SEC. 9-2.204. QUALIFICATION OF PLUMBERS. That Sections 2.1 to 2.11, inclusive, of said Plumbing Code are hereby deleted.

SEC. 9-2.205. APPLICATION.

(a) General. Any person who is required by this chapter to possess a Certificate of Competency shall make application therefor to the Board of Plumbing Examiners on application forms provided for that purpose by the Secretary of the Board.

(b) Fee. A fee of Two and 50/100ths (\$2.50) Dollars shall be paid to the Board for the first and for every additional examination taken by any person applying to the Board for a Certificate of Competency. The Board shall pay all fees so collected to the Director of Finance.

SEC. 9-2.206. RE-EXAMINATION. Any person who fails to pass the examination as prescribed by the Board may apply for re-examination after the expiration of ninety (90) days. Should such person fail to pass a second time, the Board may refuse a third application until after the expiration of six (6) months. The application fee as prescribed in Section 9-2.205(b) shall be paid for each re-examination.

SEC. 9-2.207. TEMPORARY PERMIT. After a person claiming to be a plumber has made application and paid the examination fee, the Chief Building Official, in his discretion, may issue to such person having paid the fee a temporary permit to engage in plumbing work until the next examination is held by the Board. The Chief Building Official at any time may revoke such temporary permit.

SEC. 9-2.208. APPRENTICES.

(a) Supervision. No Certificate of Competency is required for an apprentice under the continuous supervision of a plumbing contractor or journeyman plumber. Supervision shall be considered continuous if the plumbing contractor or journeyman plumber is not absent for more than one hour continuously nor more than two (2) hours total during any one day.

(b) Number of Apprentices. No more than one apprentice shall be employed for each plumbing contractor or journeyman plumber on any one continuous parcel of land.

SEC. 9-2.209. RENEWAL OF CERTIFICATE. All Certificates of Competency shall expire on June 30th of each year. They may be renewed from year to year upon request and payment of the required renewal fee. If a renewal of a certificate is requested and the required fee paid within thirty (30) days after the expiration date of such certificate, the renewal fee shall be One and no/100ths (\$1.00) Dollar. If such renewal be requested and the required fee paid more than thirty (30) days and less than ninety (90) days after the expiration date of such certificate the renewal fee shall be Two and no/100ths (\$2.00) Dollars. No certificate shall be renewed after ninety (90) days after the expiration date of such certificate.

SEC. 9-2.210. REVOCATION OF CERTIFICATE.

(a) The Board of Plumbing Examiners, after a public hearing, may cancel any certificate issued by them to any person, if such person later shows

incompetency or lack of knowledge in matters relevant to such certificate or if such certificate was obtained by fraud. If such certificate of any person be so cancelled or revoked, another such certificate shall not be granted to such person within twelve (12) months after the date of cancellation or revocation.

(b) Certificates are not transferable from one person to another and the lending of any certificate to another person shall be deemed cause for revocation.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) ~~fifteen (15)~~ days after its final passage and adoption.

SECTION 3. 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.


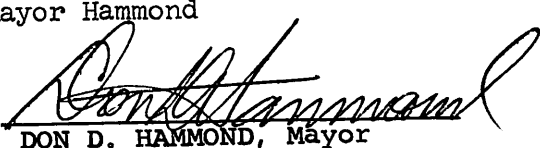
SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of February, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

ATTEST:  APPROVED: 
DON D. HAMMOND, Mayor

(SEAL) 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 25th day of February, 1963, Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Mayor Hammond

APPROVED:



~~RICHARD VANDERWALL, Mayor~~
RICHARD VANDERWALL, Mayor
pro tempore

ATTEST:



REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 27, 1963

AN ORDINANCE AMENDING SECTION 3-1.211 OF ARTICLE 2 OF CHAPTER 1 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO FIREWORKS.

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

SECTION 1. AMENDMENT OF CODE. Section 3-1.211 of Article 2 of Chapter 1 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-1.211. FIREWORKS, GENERAL PROVISIONS. That Section 13.1 of said Fire Prevention Code be amended to read as follows:

Section 13.1 (a) All of the provisions of Part 2 of Division 11 of the Health and Safety Code of the State of California as now existing or as hereafter amended, except as herein modified, insofar as the same apply to municipalities are hereby adopted and made a part of this Code as though fully set forth herein.

(b) Applications for a permit shall be made to the Chief of the Fire Prevention Bureau who shall have the power in his discretion to grant or deny the application, subject to such reasonable conditions, if any, as he shall prescribe.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of March, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, Mayor pro tempore VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Hammond

APPROVED:

Richard VanderWall

~~NON VERBA SED MONDO DOCEBO~~

RICHARD VANDERWALL, Mayor pro tempore

ATTEST:

REX E. GAILFUS
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 18th day of March, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 17, 1963

AN ORDINANCE AMENDING SECTION 7-3.401 OF ARTICLE 4 OF CHAPTER 3 OF TITLE VII OF THE MODESTO MUNICIPAL CODE AND REPEALING SECTIONS 7-3.404, 7-3.405, 7-3.406, 7-3.409, 7-3.412 AND 7-3.415 THEREOF, RELATING TO THE MODESTO CITY-COUNTY AIRPORT.

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

SECTION 1. AMENDMENT OF CODE. Section 7-3.401 of Article 4 of Chapter 3 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-3.401. FEES. The Council shall have the power by resolution to establish charges and fees for the following types of activities and services at the Modesto City-County Airport:

- (a) Rental of hangars.
- (b) Tie downs.
- (c) Office space.
- (d) Landing fees for nonscheduled transient aircraft carrying passengers and/or cargo for hire.
- (e) Permanently based commercial services, the fee to be in lieu of the license requirements imposed by Chapter 1 of Title VI of this Code, and shall be payable in advance.
- (f) Temporarily based commercial services, the fee to be in lieu of the license requirements imposed by Chapter 1 of Title VI of this Code, and shall be payable in advance.

An operator shall be considered as "temporarily based" at the Modesto City-County Airport within the meaning of this chapter unless the operator maintains an office at the airport and intends to engage in business from the 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.

- (g) Such other services or activities as are deemed proper by the Council.

SECTION 2. REPEALS. Sections 7-3.404, 7-3.405, 7-3.406, 7-3.409, 7-3.412 and 7-3.415 of Article 4 of Chapter 3 of Title VII of the Modesto Municipal Code are hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, 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 March, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

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 25th day of March, 1963, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 24, 1963

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

WHEREAS, a petition was filed with the City Clerk by
Marjorie J. Small and John L. Small

on January 23, 1963, 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 SMALL
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
11th day of February, 1963, set said petition for
hearing at the hour of 8:00 o'clock P.M. on the 25th day
of March, 1963, in the Council Chambers at the City
Hall, 801 Eleventh Street 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 a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on February 21, 1963, and on
February 28, 1963, 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 assess-
ment 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 25th day of March, 1963, at the hour of 8:00 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 as the SMALL 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:

SMALL ADDITION

All that real property in the State of California, County of Stanislaus, Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, being described as Lots 58 and 59, Excepting the South 70.00 feet of Lot 58, of the FIRST ADDITION TO SUNSET ACRES, as per map filed March 18, 1911, in Volume 5 of Maps, at Page 27, Stanislaus County Records, and more particularly described as follows:

Commencing at a point on the existing City Limits as established by the Southwestern corner of the Ball Park-Golf Course Addition, as per description filed February 21, 1940, as Instrument 1997, Stanislaus County Records, said point being on the Center Line of a Public Road known as Rouse Avenue; thence along the Western line of the Ball Park-Golf Course Addition, North, 466.00 feet, to a point which is 70.00 feet North of the Southeast corner of Lot 58 of said First Addition to Sunset Acres, and the true point of beginning; thence continuing along the existing City Limits, North, 194.00 feet, to the Northeast corner of Lot 59 of said First Addition to Sunset Acres; thence along the Northern line of Lot 59, South 89° 45' West, 300.00 feet, to the Eastern line of Sunset Boulevard; thence along the Eastern line of Sunset Boulevard, South, 194.00 feet, to a point 70.00 feet North of the Southwestern corner of Lot 58; thence along a line parallel with and 70.00 feet Northerly from the Southern line of Lot 58, North 89° 45' East, 300.00 feet to the point of beginning, containing 1.336 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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.

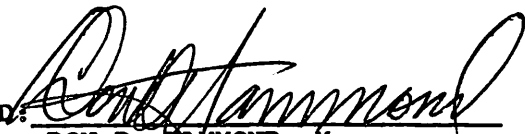
SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and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

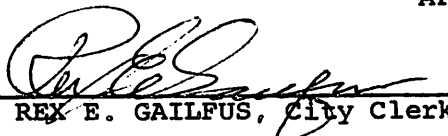
SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, 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 March, 19 63, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, 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 2-2.12 OF CHAPTER 2 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO EFFECTIVE DATE OF ORDINANCES.

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

SECTION 1. AMENDMENT OF CODE. Section 2-2.12 of Chapter 2 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-2.12. EFFECTIVE DATE. No ordinance adopted by the Council shall become effective until thirty (30) days from and after the date of its adoption, except the following which shall take effect upon adoption:

- (a) An ordinance calling or otherwise relating to an election;
- (b) An improvement proceeding ordinance adopted under some law or procedural ordinance;
- (c) An ordinance declaring the amount of money necessary to be raised by taxation, or fixing the rate of taxation, or levying the annual tax upon property;
- (d) An emergency ordinance adopted in the manner provided for in this chapter;
- (e) An ordinance annexing areas to the City; or
- (f) An ordinance providing for tax levy or appropriation for the usual current expenses of the City.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption, provided, however, that the provisions of this ordinance shall apply retroactively as of January 14, 1963.

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 Tribune, 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 March, 1963, by Councilman VanderWall,
who moved its introduction and passage to print, which motion
being duly seconded by Councilman Shastid, was upon
roll call carried and ordered printed and published by the fol-
lowing vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond

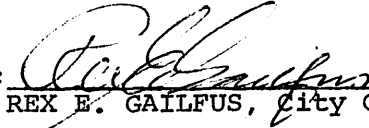
NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

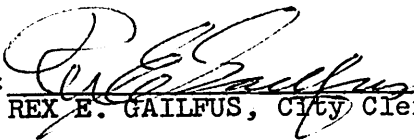
(SEAL)

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 1st day of April, 1963, Councilman Shastid 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: Johansen, Mitchell, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 1, 1963

AN ORDINANCE AMENDING SECTION 5-4.211 OF ARTICLE 2 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE, RELATING TO DOGS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-4.211 of Article 2 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

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 Two and no/100ths (\$2.00) Dollars, together with the further sum of fifty (50¢) cents per day that said dog is impounded. The City Poundmaster shall transmit said fees to the Director of Finance.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption and shall apply to any dog impounded under the provisions of Section 5-4.210 of the Municipal Code following the effective date of this ordinance.

SECTION 3. SAVINGS. Neither the adoption of this ordinance nor the amendment of any section of the Municipal Code by this ordinance shall in any manner affect the prosecution for violation of said Code provisions, which violations were committed prior to the effective date of this ordinance. The provisions of this ordinance shall not be construed as a waiver of any license or penalty existing at the effective date of said ordinance due and unpaid under the provisions of the Municipal Code as they existed prior to amendment, nor construed as affecting any of the provisions

of such Code provisions relating to the collection of any such license or penalty or penal provisions applicable to the violation thereof.

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 Tribune, the official newspaper of the City of Modesto.

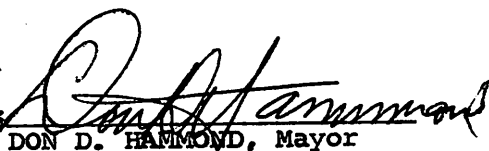
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond


NOES: Councilmen: None

ABSENT: Councilmen: Patton

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 8th day of April, 19 63, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall,
Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Mitchell, Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 8, 1963

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
THE CRESTVIEW NO. 3 ADDITION TO THE CITY OF
MODESTO.

WHEREAS, a petition was filed with the City Clerk by J. L. Overbey, Nona Jo Overbey, Gary Smith, Marilyn Smith, Donald S. Keim, Ann O. Keim, Kenneth H. Overbey, Irene Overbey and Del Este Water Co on November 27, 1962, 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 CRESTVIEW NO. 3 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 February, 1963, set said petition for hearing at the hour of 8:05 o'clock p.m. on the 8th day of April, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 Tribune, a newspaper published in the City of Modesto on March 7, 1963 and on March 14, 1963; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on March 7, 1963, and on March 14, 1963, 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 April, 1963, 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 as the CRESTVIEW NO. 3 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:

CRESTVIEW NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, and the Southeastern corner of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records; thence along the Northern line of the Lorenzen Addition and the existing City Limits, North $89^{\circ} 58'$ West, 150.02 feet, to the Southeastern corner of the Crestview Addition, as per description filed March 16, 1962, as Instrument 10152, Stanislaus County Records; thence along the Eastern line of said Crestview Addition and the existing City Limits, North 108.34 feet, to the Northeastern corner of the Crestview Addition; thence along the Northern line of the Crestview Addition and the existing City Limits, West 70.00 feet, to the Southeastern corner of the Crestview No. 2 Addition, as per description filed February 5, 1963, as Instrument 4470, Stanislaus County Records; thence along the Eastern line of the Crestview No. 2 Addition and the existing City Limits, North $1^{\circ} 35' 05''$ West, 65.86 feet, and North $12^{\circ} 20'$ East, 159.83 feet, to the Northeastern corner of Crestview No. 2 Addition, and the Northern line of Downey Park No. 1 Subdivision; thence along the Northern line of the Downey Park No. 1 Subdivision and its Easterly extension, East 184.35 feet, to the Northeastern corner of said subdivision; thence along the Eastern line of said subdivision, South $0^{\circ} 35'$ East, 330.43 feet, to the point of beginning, containing 1.429 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1953, by Councilman Johansen, 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: Johansen, Shastid, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE CATHERINE EVERETT SCHOOL ADDITION TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Melvin L. Jones, Mrs. Betty I. Jones, Arthur J. Wylie, Florence E. Wylie Oliver J. Heersink, Gerry Mae Heersink, Modesto City Schools on February 5, 1963, 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 CATHERINE EVERETT SCHOOL 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 February, 1963, set said petition for hearing at the hour of 8:10 o'clock p.m. on the 8th day of April, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 Tribune, a newspaper published in the City of Modesto on March 7, 1963, and on March 14, 1963; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on March 7, 1963, and on March 14, 1963, 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 April, 1963, at the hour of 8:10 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 as the CATHERINE EVERETT SCHOOL ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

CATHERINE EVERETT SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of the Northeast quarter of 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, as established by the Northwestern corner of the BLOMDAHL ADDITION, as per description filed June 14, 1962, as Instrument 23005, and by the Southeastern corner of the CORNWELL ADDITION, as per description filed December 29, 1960, as Instrument 36792, Stanislaus County Records, said point being on the Western line of a 40 foot Public Road known as Carver Road; thence along the existing City Limits and the Eastern line of the Cornwell Addition, North $0^{\circ} 46' 30''$ West, 661.47 feet, to a point on the Easterly extension of the Northern line of Mount Vernon Drive, as shown on the map of the Skylane Park Unit No. 2 Subdivision, as per map filed December 5, 1961, in Volume 19 of Maps, Page 89, Stanislaus County Records; thence South $89^{\circ} 12' 09''$ East, 20.01 feet, to the Center Line of Carver Road; thence North $89^{\circ} 13' 30''$ East, 20.00 feet, to a point on the Eastern line of Carver Road and the Northwestern corner of property conveyed to Arthur J. Wylie, et ux, by Deed recorded June 14, 1962, as Instrument 23133, Stanislaus County Records; thence along the Northern line of said Wylie property, North $89^{\circ} 13' 30''$ East, 25.00 feet; thence on a tangent curve concave to the North, having a Radius of 1070.00 feet, a Central Angle of $10^{\circ} 25' 27''$, and a Length of 194.67 feet; thence North $78^{\circ} 48' 03''$ East, 527.19 feet; thence on a tangent curve concave to the South, having a Radius of 930.00 feet, a Central Angle of $12^{\circ} 18' 12''$, and a Length of 199.70 feet; thence South $88^{\circ} 53' 45''$ East, 8.38 feet, to the Northeastern corner of the Wylie property; thence along the Eastern line of the Wylie property, South $0^{\circ} 26' 15''$ East, 20.00 feet, to the Northwestern corner of property conveyed to the Modesto City School District of Stanislaus County, by Final Judgment in Condemnation recorded January 26, 1962, as Instrument 3412, Stanislaus County Records; thence along the Northern line of the School property, South $88^{\circ} 53' 45''$ East, 580.97 feet, to a point on the existing City Limits as established by the Western line of the GREGORY GARDENS NO. 3 ADDITION, as per description filed March 4, 1958, as Instrument 5409, Stanislaus County Records; thence along the existing City Limits as established by the said Gregory Gardens No. 3 Addition and by the GREGORY GARDENS ADDITION, as per description filed August 30, 1955, as Instrument 25171, Stanislaus County Records, South $0^{\circ} 35' 15''$ East, 792.34 feet, to a point on the East-West quarter line of Section 18, said point being on the existing City Limits as established by the Northern line of the GREGORY GARDENS NO. 2 ADDITION, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records; thence along the existing City Limits, the quarter line of Section 18 and the Northern line of Gregory Gardens No. 2 Addition, North $89^{\circ} 12' 15''$ West, 323.77 feet, to the Northeastern corner of the aforementioned Blomdahl Addition; thence continuing along the quarter line and the existing City Limits as established by the Blomdahl Addition, North $89^{\circ} 12' 15''$ West, 1239.01 feet, to the Western line of Carver Road and the point of beginning, containing 28.188 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of April, 1963, by Councilman Shastid, who moved its adoption and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Johansen, Shastid, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Mitchell, Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 3-2.1501 OF ARTICLE 15 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE, RELATING TO PARKING METERS IN THE CITY OF MODESTO.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1501 of Article 15 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1501. ESTABLISHMENT OF PARKING METER ZONES. The Council from time to time may establish and designate parking meter zones as parking conditions require. The time limitations for legal parking in parking meter zones shall be those established by the Director based on engineering surveys, and the time limitations shall be indicated by appropriate signs posted in such zones.

The locations and boundaries of the various zones are as shown on that certain map being marked and designated as "Parking Meter Zoning Map City of Modesto", attached hereto. Said map and all notations, references and other information shown thereon are hereby made a part of this chapter. Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

(a) Wherever the zone boundary is indicated as being approximately upon the center line of a street, alley or block, or along or adjacent to a property line, then, unless otherwise definitely indicated on the map, the center line of such street, alley or block, or such property line, shall be construed to be the boundary of such zone.

(b) Where the zone lines are shown adjacent to the street property line, the zone boundary shall be construed to be the street property line.

(c) Where such zone boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map.

(d) Where the application of the above rules does not clarify the zone boundary location, the Council shall interpret the map.

Said Parking Meter Zoning Map may, for convenience, be divided into individual section maps for the

purpose of more readily identifying the territory included within each parking meter zone. Said Parking Meter Zoning Map, is hereby adopted and approved as the official Parking Meter Zoning Map of the City of Modesto.

Changes in the boundaries of the parking meter zones shall be made by ordinance adopting an amended parking meter zoning map, or section or unit of said Parking Meter Zoning Map, which said amended map or section or unit, when so adopted, shall be published in the manner prescribed by law and become a part of this chapter.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. 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 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following

vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 578 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

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 May, 1963, Councilman Shastid 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: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~XXXXXXXXXXXX~~, Mayor
PETER W. JOHANSEN

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

EFFECTIVE DATE: June 5, 1963

AN ORDINANCE OF THE CITY OF MODESTO DECLARING A NEED FOR AN URBAN RENEWAL AGENCY TO FUNCTION; DECLARING A NEED FOR URBAN RENEWAL AND DECLARING THE LEGISLATIVE BODY OF THE COMMUNITY TO BE THE AGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Community Redevelopment Law of the State of California which is found in Sections 33000 through 33954 of the California Health and Safety Code declares in Section 33040 of said Code that there exists in many communities in the State blighted areas which constitute either social or economic liabilities or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of these communities and of the State; and

WHEREAS, Sections 33041 to 33044 inclusive of said Code list conditions which are determinative in characterizing areas as blighted areas; and

WHEREAS, the City of Modesto through studies made by consultants, citizens committees and through the staff of its Planning Department have made studies of Urban Blight in the City of Modesto; and

WHEREAS, the Council of the City of Modesto finds and determines that there exists within the City of Modesto blighted areas and deteriorated or deteriorating areas as defined in Chapters 1 and 6 respectively of Part 1, Division 24 of the California Health and Safety Code, which Part 1 of said Division 24 of said Code is known as the Community Redevelopment Law; and

WHEREAS, Section 33200 of the Community Redevelopment Law created in the City of Modesto, a public body, corporate and politic for the purpose of exercising the powers granted by the Community Redevelopment Law, but provided, pursuant to Section 33201 thereof, that said public body, corporate and politic shall not transact any business or exercise any powers unless, by ordinance, the City Council of the City of Modesto declares there is a need for such Agency to function; and

WHEREAS, Section 33983 of the Community Redevelopment Law provides that the provisions for urban renewal provided by Chapter 6 of said Law shall not become operative in any community until the legislative body of the community declares by resolution, that there is need for urban renewal in the community; and

WHEREAS, Resolution No. 61-212 entitled "A Resolution Declaring a Need for an Agency to Function, Authorizing and Directing the Appointment of Members of the Agency, and for Other Purposes", was adopted by the City Council on May 8, 1961; and

WHEREAS, no action has been taken to date in accordance with Section 2 of said resolution to appoint five (5) resident electors of the City of Modesto to serve as members of the Redevelopment Agency provided by Section 1 of the aforesaid resolution; and

WHEREAS, the Legislature of the State of California amended the Community Redevelopment Law in 1961 by adding Section 33231.5; amended the California Redevelopment Law by amending Section 33201 of the State Health and Safety Code relating to the requirements imposed upon the legislative body as a prerequisite for a Redevelopment Agency to function in the community, and provided that said action declaring a need of such an agency to function shall be accomplished by the adoption of an ordinance; and

WHEREAS, Section 33202 of the Health and Safety Code as amended by Stats. 1961, Ch. 2149, preserved the existence and authority only of Redevelopment Agencies which had transacted business and exercised powers prior to the effective date of the amendment of Section 33202 of the State Health and Safety Code by Stats. 1959, Ch. 1102; and

WHEREAS, the Redevelopment Agency referred to in Resolution No. 61-212 mentioned above did not transact any business or exercise any powers prior to the effective date

of the amendment of Section 33202 of the State Health and Safety Code in 1961;

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

SECTION 1. DECLARATION OF NEED FOR REDEVELOPMENT AGENCY TO FUNCTION. It is hereby found and declared, pursuant to Section 33201 of the Community Redevelopment Law, that there is a need for the Agency created by Section 33200 of said Law to function in the City of Modesto, and said Agency is hereby authorized to transact business and exercise its powers under the Community Redevelopment Law. Said Agency shall be known as the Modesto Redevelopment Agency.

SECTION 2. ADOPTION OF URBAN RENEWAL PROVISIONS OF THE COMMUNITY REDEVELOPMENT LAW. It is hereby further found and declared, pursuant to Section 33983 of the Community Redevelopment Law, that there is need for urban renewal as defined in Chapter 6 of said Law, in the City of Modesto, and that all of the provisions of said Chapter 6 are operative in the community and applicable to the Agency provided by Section 1 hereof.

SECTION 3. BODY TO SERVE AS REDEVELOPMENT AGENCY. Pursuant to the provisions of Section 33231.5 of the Community Redevelopment Law, this Body hereby declares itself to be the Agency provided in Section 1 hereof, and that all the rights, powers, duties, privileges and immunities vested by the Community Redevelopment Law in such Agency shall be, and are hereby vested in this Body.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: **Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond**

NOES: Councilmen: **None**

ABSENT: Councilmen: **None**

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE NORTH WOOD ESTATES ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Alfred L. Flory, Gertrude E. Flory, James B. Johnston, Shirley L. Johnston, Joe H. Tidwell and Lois Tidwell

on February 27, 1963, 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 NORTH WOOD ESTATES 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 11th day of March, 1963, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 22nd day of April, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on March 21, 1963, and on March 28, 1963, 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 April, 1963, at the hour of 8:00 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 as the NORTH WOOD ESTATES 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:

NORTH WOOD ESTATES ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northeastern corner of the NORTHLAND ESTATES ADDITION, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records, said point being on the Southern line of a 40 foot Public Road known as Woodrow Avenue; thence along the Southern line of said Woodrow Avenue, South $89^{\circ} 04' 15''$ East, 922.28 feet, to a point on the Eastern line of property conveyed to Alfred L. Flory, et al, by Deed recorded December 14, 1962, as Instrument 46791, Stanislaus County Records; thence along the Eastern line of said Flory property, South $0^{\circ} 54' 45''$ East, 641.98 feet, to the Southeastern corner of said Flory property; thence along the Southern line of said Flory property, North $89^{\circ} 01' 45''$ West, 922.28 feet, to the Southwestern corner of said Flory property and the Southeastern corner of the Northland Estates Addition; thence along the Eastern line of the Northland Estates Addition, North $0^{\circ} 54' 45''$ West, 641.31 feet, to the point of beginning, containing 13.578 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

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

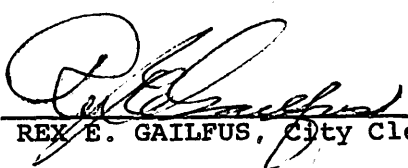
SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 19 63, by Councilman Johansen, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

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

WHEREAS, a petition was filed with the City Clerk by
George B. Pierrou, Jeanette L. Pierrou, Kenneth F. Duffin, Helen Duffin,
Harry T. Kullijian, Geraldine B. Kullijian

on February 28, 1963, 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 WALNUT ACRES
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
11th day of March, 1963, set said petition for
hearing at the hour of 8:10 o'clock P.M. on the 22nd day
of April, 1963, in the Council Chambers at the City
Hall, 801 Eleventh Street 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 a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on March 21, 1963, and on
March 28, 1963, 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 assess-
ment 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 April, 1963, at the hour of 8:10 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 as the WALNUT ACRES 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 real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Southeastern corner of the CRESTWOOD TERRACE ADDITION, as per description filed August 22, 1962, as Instrument 31905, Stanislaus County Records, said point being on the Southern line of Section 9; thence along a line which is the existing City Limits, the Eastern line of the Crestwood Terrace Addition, and the Western line of property conveyed to Harry T. Kullijian, et ux, by Deed recorded July 7, 1961, as Instrument 21612, Stanislaus County Records, North $0^{\circ} 44' 30''$ West, 420.00 feet, to the Northeastern corner of the Crestwood Terrace Addition; thence along the existing City Limits and the Northern line of the Crestwood Terrace Addition, North $89^{\circ} 30'$ West, 659.21 feet, to the Northwestern corner thereof and the Southwestern corner of property conveyed to Kenneth F. Duffin by Deed recorded December 14, 1962, as Instrument 46789, Stanislaus County Records; thence along the Western line of said Duffin property, North $0^{\circ} 45'$ West, 240.00 feet, to the Northwestern corner thereof; thence along the Northern line of said Duffin property, South $89^{\circ} 30'$ East, 659.25 feet, to the Northeastern corner thereof and the Western line of the Kullijian property; thence along the Western line of the Kullijian property, North $0^{\circ} 44' 30''$ West, 681.13 feet, to the Northwestern corner thereof; thence along the Northern line of the Kullijian property, South $89^{\circ} 16' 45''$ East, 1298.75 feet, to the Western line of a 40 foot Public Road known as Coffee Road; thence along the Western line of Coffee Road and an Eastern line of the Kullijian property, South $0^{\circ} 43' 30''$ East, 228.83 feet, to a Southern line of the Kullijian property; thence along said Southern line, North $89^{\circ} 30'$ West, 278.00 feet; thence along the Eastern line of the Kullijian property, South $0^{\circ} 43' 30''$ East, 1082.38 feet, to a point which is 25 feet, measured at right angles, Northerly from the South line of Section 9; thence along the line of the Kullijian property, South $89^{\circ} 30'$ East, 278.00 feet, to the Western line of Coffee Road; thence along the Western line of Coffee Road, South $0^{\circ} 43' 30''$ East, 25.00 feet, to the South line of Section 9 and the Southern line of the Kullijian property; thence along the South line of Section 9 and the Southern line of the Kullijian property, North $89^{\circ} 30'$ West, 1298.16 feet, to the point of beginning, containing 36.623 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area 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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1963, by Councilman Mitchell, 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: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE DECLARING THERE IS NO FURTHER NEED FOR THE REDEVELOPMENT AGENCY CREATED BY RESOLUTION NO. 61-212 ADOPTED BY THE COUNCIL ON MAY 8, 1961.

WHEREAS, Resolution No. 61-212 entitled "A Resolution Declaring a Need for an Agency to Function, Authorizing and Directing the Appointment of Members of the Agency, and for Other Purposes", was adopted by the City Council on May 8, 1961, and

WHEREAS, no action has been taken to date in accordance with Section 2 of said resolution to appoint five (5) resident electors of the City of Modesto to serve as members of the Redevelopment Agency provided by Section 1 of the aforesaid resolution, and

WHEREAS, the Redevelopment Agency referred to in Resolution No. 61-212 mentioned above has not transacted any business or exercised any powers since the adoption of said resolution, and the Agency created by said resolution has not redeveloped or acquired land for, or commenced the redevelopment of, a project, or entered into contracts for redevelopment, within two (2) years after the adoption of Resolution No. 61-212, and

WHEREAS, the Council finds and declares that there is no further need for the Agency created by said Resolution No. 61-212 because the Council has determined to exercise the power of the Agency itself, and

WHEREAS, Section 33203 of the California Health and Safety Code (Community Redevelopment Law) provides:

"33203. Same: Suspension of Authority. If an agency has not redeveloped or acquired land for, or commenced the redevelopment of, a project, or entered into contracts for redevelopment within two years after the adoption of an ordinance pursuant to Section 33201, or, in the case of an agency authorized to transact business and exercise powers by resolution adopted pursuant to the provisions of Section 33201 which were in effect prior to the effective date of the 1961 amendment to this section, within two years after the adoption

of such a resolution, the legislative body may by ordinance declare that there is no further need for the agency. Upon the adoption of the ordinance the offices of the agency members are vacated and the capacity of the agency to transact business or exercise any powers is suspended until the legislative body adopts an ordinance declaring the need for the agency to function."

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

SECTION 1. DECLARATION OF AUTHORITY. It is hereby found and declared that the subject ordinance is proposed for adoption pursuant to the provisions of Section 33203 of the Health and Safety Code of the State of California. The Council hereby finds and declares that there is no further need for the Redevelopment Agency created by Resolution No. 61-212 adopted by the Council on May 8, 1961. The Council further finds and declares that the Agency created by Resolution No. 61-212 has not redeveloped or acquired land for, or commenced the redevelopment of, a project, or entered into contracts for redevelopment, within two (2) years after the adoption of said Resolution No. 61-212, and that there is no further need for the said Agency created by said resolution because the Council has determined to exercise the powers of a Redevelopment Agency itself.

SECTION 2. SUSPENSION OF POWERS. In accordance with Section 33203 of the Health and Safety Code of the State of California the offices of the Agency members established by Resolution No. 61-212 are vacated and the capacity of the Agency to transact business or exercise any powers is suspended until the Council adopts an ordinance declaring the need for the Agency to function.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, 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, 1963, by Councilman Shastid, 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: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS
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 20th day of May, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~XXXXXXXXXXXX~~, Mayor
PETER W. JOHANSEN

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

EFFECTIVE DATE: June 19, 1963

AN ORDINANCE OF THE CITY OF MODESTO DECLARING A NEED FOR AN URBAN RENEWAL AGENCY TO FUNCTION; DECLARING A NEED FOR URBAN RENEWAL AND DECLARING THE LEGISLATIVE BODY OF THE COMMUNITY TO BE THE AGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Community Redevelopment Law of the State of California which is found in Sections 33000 through 33954 of the California Health and Safety Code declares in Section 33040 of said Code that there exists in many communities in the State blighted areas which constitute either social or economic liabilities or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of these communities and of the State, and

WHEREAS, Sections 33041 to 33044 inclusive of said Code list conditions which are determinative in characterizing areas as blighted areas, and

WHEREAS, the City of Modesto through studies made by consultants, citizens committees and through the staff of its Planning Department have made studies of Urban Blight in the City of Modesto, and

WHEREAS, the Council of the City of Modesto finds and determines that there exists within the City of Modesto blighted areas and deteriorated or deteriorating areas as defined in Chapters 1 and 6 respectively of Part 1, Division 24 of the California Health and Safety Code, which Part 1 of said Division 24 of said Code is known as the Community Redevelopment Law, and

WHEREAS, Section 33200 of the Community Redevelopment Law created in the City of Modesto a public body, corporate and politic for the purpose of exercising the powers granted by the Community Redevelopment Law, but provided, pursuant to Section 33201 thereof, that said public body, corporate and politic shall not transact any business or exercise any powers unless, by ordinance, the City Council of the City of Modesto declares there is a need for such Agency to function, and

WHEREAS, Section 33983 of the Community Redevelopment Law provides that the provisions for urban renewal provided by Chapter 6 of said Law shall not become operative in any community until the legislative body of the community declares by resolution, that there is need for urban renewal in the community, and

WHEREAS, Resolution No. 61-212 entitled "A Resolution Declaring a Need for an Agency to Function, Authorizing and Directing the Appointment of Members of the Agency, and for Other Purposes", was adopted by the City Council on May 8, 1961, and

WHEREAS, no action has been taken to date in accordance with Section 2 of said resolution to appoint five (5) resident electors of the City of Modesto to serve as members of the Redevelopment Agency provided by Section 1 of the aforesaid resolution, and

WHEREAS, the Legislature of the State of California amended the Community Redevelopment Law in 1961 by adding Section 33231.5; amended the California Redevelopment Law by amending Section 33201 of the State Health and Safety Code relating to the requirements imposed upon the legislative body as a prerequisite for a Redevelopment Agency to function in the community, and provided that said action declaring a need of such an agency to function shall be accomplished by the adoption of an ordinance, and

WHEREAS, an ordinance has been introduced pursuant to Section 33203 of the Health and Safety Code of the State of California declaring that there is no further need for the Agency created by Resolution No. 61-212 adopted May 8, 1961, because it has exercised no powers for two (2) years following the adoption of said resolution and the Council itself desires to exercise the powers of the agency,

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

SECTION 1. DECLARATION OF NEED FOR REDEVELOPMENT AGENCY TO FUNCTION. It is hereby found and declared, pursuant to Section 33201 of the Community Redevelopment Law, that there is a need for the Agency created by Section 33200 of said Law to function in the City of Modesto, and said Agency is hereby authorized to transact business and exercise its powers under the Community Redevelopment Law. Said Agency shall be known as the Modesto Redevelopment Agency.

SECTION 2. ADOPTION OF URBAN RENEWAL PROVISIONS OF THE COMMUNITY REDEVELOPMENT LAW. It is hereby further found and declared, pursuant to Section 33983 of the Community Redevelopment Law, that there is need for urban renewal as defined in Chapter 6 of said Law, in the City of Modesto, and that all of the provisions of said Chapter 6 are operative in the community and applicable to the Agency provided by Section 1 hereof.

SECTION 3. BODY TO SERVE AS REDEVELOPMENT AGENCY. Pursuant to the provisions of Section 33231.5 of the Community Redevelopment Law, this Body hereby declares itself to be the Agency provided in Section 1 hereof, and that all the rights, powers, duties, privileges and immunities vested by the Community Redevelopment Law in such Agency shall be, and are hereby vested in this Body.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, 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, 1963, by Councilman Shastid,

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

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor ~~XXXXXXXX~~ Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: *Peter W. Johansen*
PETER W. JOHANSEN, Mayor

ATTEST: *Rex E. Gailfus*
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 20th day of May, 1963, Councilman Shastid 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: Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~DONALD JOHANSEN~~, Mayor
PETER W. JOHANSEN

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

EFFECTIVE DATE: June 19, 1963

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

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

SECTION 1. ZONING CHANGE. Section 20 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3:

Beginning at a point on the center line of McHenry Avenue at its intersection with the center line of West Roseburg Avenue; thence North $88^{\circ} 47'$ West a distance of 255 feet to the point of beginning of this description; thence continuing North $88^{\circ} 47'$ West along the center line of West Roseburg Avenue, 130 feet; thence South $0^{\circ} 56'$ West, 182.84 feet; thence South $88^{\circ} 47'$ East, 130 feet; thence North $0^{\circ} 56'$ East, 182.84 feet more or less to the point of beginning.

SECTION 2. ZONING MAP. 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after ~~thirty~~ ⁽³⁰⁾ ~~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 Tribune, 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, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen
~~DON B. HAMMOND~~, Mayor

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

(SEAL)

Ordinance 584 C.S.

Oversized map folded and bound within Ordinance Book. Unable to remove safely for scanning.

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 27th day of May, 1963, Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~XXXXXXXXXXXX~~, Mayor
PETER W. JOHANSEN

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

EFFECTIVE DATE: June 26, 1963

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

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

SECTION 1. ZONING CHANGE. Section 21 of the Zoning

Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to General Commercial Zone, C-2 :

Beginning at the northeast corner of the Allen Addition as per description filed November 10, 1959, as Instrument 32914, Stanislaus County Records; thence North 0° 56' West a distance of 1406.06 feet to the southern line of West Roseburg Avenue; thence along the Southern line of Roseburg Avenue, South 89° 51' East, 237.00 feet; thence South 0° 56' East, 98.00 feet; thence South 89° 51' East, 80.00 feet; thence South 0° 56' East, 196.00 feet, to the Northern line of Palm Avenue; thence along the Northern line of Palm Avenue, North 89° 51' West, 80.00 feet; thence South 0° 56' East, 176.90 feet; thence South 89° 51' East 80.65 feet; thence South 0° 56' East 126.65 feet to the Northern line of Corson Avenue; thence along the Northern line of Corson Avenue, North 89° 51' West, 3.75 feet; thence South 0° 56' East, 360.00 feet to the Northern line of Fairmont Avenue; thence along the Northern line of Fairmont Avenue, North 89° 51' West, 69.22 feet; thence South 0° 56' East, 123.26 feet; thence South 89° 51' East, 119.99 feet; thence South 0° 56' East, 195.47 feet; thence North 88° 50' West, 9.47 feet; thence South 0° 51' 06" East, 100.94 feet; thence South 88° 57' West, 80.00 feet; thence South 0° 56' East, 21.56 feet; thence South 88° 57' West, 275.00 feet to the point of beginning, being located on the east side of McHenry Avenue from south of Fairmont Avenue to Roseburg Avenue.

SECTION 2. ZONING MAP. Section Map 21 of the Zoning

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

SECTION 3. EFFECTIVE DATE. This ordinance shall go into

effect and be in full force and operation from and after ~~thirty~~ ⁽³⁰⁾ days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be pub-

lished in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~BON D. RICHMOND~~, Mayor

ATTEST: REX E. GAILFUS City Clerk

(SEAL)

Ordinance 585 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.


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 27th day of May, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
~~DONALD JOHNSON~~, Mayor
PETER W. JOHANSEN

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 26, 1963

AN ORDINANCE AMENDING SECTION MAP 31 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GANT ADDITION)

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

SECTION 1. ZONING CHANGE. Section 31 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1:

Beginning at a point on the South right-of-way line of Briggs Avenue, a 60 foot street, extended and the center line of a 60 foot street known as Franklin Street; thence South 0° 58' East, 534.57 feet; thence South 89° 02' West, 30.00 feet; thence North 65° 34' 45" West 145.77 feet to the South line of Paradise Road; thence South 49° 48' 30" West along the southern line of Paradise Road a distance of 429.42 feet; thence North 2° 33' 14" West 82.74 feet; thence North 0° 58' West 666.98 feet to the South right-of-way line of Briggs Avenue; thence North 89° 44' East, 496.68 feet to the point of beginning, being located on the West side of Franklin Street at Paradise Avenue, known as the Gant Addition.

SECTION 2. ZONING MAP. 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after ^{thirty} ~~thirty~~ (30) ~~(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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall,
Mayor ~~W. H. Johnson~~ Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~W. H. Johnson~~, Mayor
PETER W. JOHANSEN

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

(SEAL)

Ordinance 586 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 19 63, Councilman Tabbert 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: Hughes, Mitchell, Patton, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: ~~None~~ Shastid

APPROVED: Peter W. Johansen
~~XXXXXXXXXXXXXXXXXXXX~~, Mayor
PETER W. JOHANSEN

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

EFFECTIVE DATE: July 3, 1963

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

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

SECTION 1. ZONING CHANGE. Section 20 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to General Commercial Zone, C-2:

Lot 9 of Block 6060, Mira Loma Tract, said C-2 zoning to include the north one half (1/2) of Coolidge Avenue contiguous to said Lot 9, being located west of McHenry Avenue on the north side of Coolidge Avenue.

SECTION 2. ZONING MAP. 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after ~~thirty~~ ^{thirty} ~~days~~ ⁽³⁰⁾ ~~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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~BERNARD G. GARDNER~~, Mayor
PETER W. JOHANSEN

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

(SEAL)

Ordinance 587 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen
~~DONALD CHAMBERS~~, Mayor
PETER W. JOHANSEN

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

EFFECTIVE DATE: July 3, 1963

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

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

SECTION 1. ZONING CHANGE. Section 19 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3:

Beginning at a point on the center line of Carver Road, a 60 foot street, and the center line of Clayton Avenue, a 50 foot street; thence westerly along the center line of Clayton Avenue a distance of 548.28 feet; thence southerly 175.00 feet; thence easterly 328.28 feet; thence southerly 50 feet; thence easterly 220 feet to the center line of Carver Road; thence northerly along the center line of Carver Road 225 feet to the point of beginning, being located on the south side of Clayton Avenue west of Carver Road.

SECTION 2. ZONING MAP. 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after ~~thirty~~ ^{thirty} ~~days~~ ⁽³⁰⁾ ~~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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~SENATOR~~, Mayor
PETER W. JOHANSEN

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

(SEAL)

Ordinance 588 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1963, Councilman Mitchell _____ moved its final adoption, which motion being duly seconded by Councilman Patton _____, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: July 3, 1963

AN ORDINANCE APPROPRIATING FUNDS FOR PAYMENT OF THE USUAL CURRENT EXPENSES OF THE CITY OF MODESTO.

WHEREAS, the 1962-63 fiscal year of the City of Modesto ends on June 30, 1963, and

WHEREAS, there will be an interim period between June 30, 1963, and the adoption of the budget for the fiscal year beginning July 1, 1963, and terminating June 30, 1964, 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 Four Hundred Thousand and no/100ths (\$400,000.00) Dollars, 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, 1963, and continuing until the adoption of the budget for the fiscal year 1963-1964.

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, 1963, but shall be superseded upon the adoption of the budget for the 1963-1964 fiscal year.

SECTION 3. That this ordinance shall be published in full at least once in The Modesto Tribune, 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 24th day of June, 1963, by Councilman Shastid, 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: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk
(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE NORTHLAND ESTATES NO. 2 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Orval R. Yurth, Wilma J. Yurth, Edwin A. Rezendes, Rosa A. Rezendes, George M. Bernard, Mary Bernard, John H. Kirkpatrick and Dolores Irene Kirkpatrick, on April 19, 1963, 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 NORTHLAND ESTATES 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 13th day of May, 1963, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 24th day of June, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 Tribune, a newspaper published in the City of Modesto on May 23, 1963, and on May 30, 1963; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on May 23, 1963, and on May 31, 1963, 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,

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 24th day of June, 1963, at the hour of 8:00 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 as the NORTHLAND ESTATES 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 attached hereto.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area 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.

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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 24th day of June, 1963, by Councilman Patton, who moved its adoption and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

NORTHLAND ESTATES NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwestern quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and being described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 43 and 44, as shown on the map of the STANDIFORD COLONY, as filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records, and more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the FRANCEK ADDITION, as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, said point being the Northwestern corner of Lot 35 of the Standiford Colony and on the Southern line of a 40 foot Public Road known as Standiford Avenue; thence along the Southern line of Standiford Avenue, South $89^{\circ} 09'$ East, 1535.21 feet, to a point on the Western line of the Tidewater Southern Railway Company Right of Way, said right of way line being 60 feet, measured at right angles, Westerly from the North-South quarter section line; thence along the Western line of the Railway Company Right of Way, South $0^{\circ} 53'$ East, 1280.00 feet, to the Northern line of a 40 foot Public Road known as Woodrow Avenue, and the existing City Limits as established by the Northern line of the Northland Estates Addition, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records; thence along a line which is the existing City Limits and the Northern line of Woodrow Avenue, North $89^{\circ} 09'$ West, 854.57 feet, to the Southeastern corner of Lot 43 of the Standiford Colony and the Eastern line of the Francek Addition; thence along a line which is the existing City Limits, the Northern line of Woodrow Avenue and the Southern line of Lot 43, North $89^{\circ} 09'$ West, 340.32 feet, to the Southwestern corner of Lot 43; thence along the existing City Limits and the Western line of Lot 43, North $0^{\circ} 53'$ West, 640.00 feet, to the Northwest corner of Lot 43 and the Southeast corner of Lot 35; thence along the existing City Limits and the Southern line of Lot 35, North $89^{\circ} 09'$ West, 340.32 feet, to the Southwestern corner of Lot 35; thence along the existing City Limits and the Western line of Lot 35, North $0^{\circ} 53'$ West, 640.00 feet, to the point of beginning containing 40.093 Acres, more or less.

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE WYLIE NO. 2 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Arthur J. Wylie and Florence E. Wylie

on April 29, 1963, 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 WYLIE 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 13th day of May, 1963, set said petition for hearing at the hour of 8:05 o'clock P.M. on the 24th day of June, 1963, in the Council Chambers at the City Hall, 801 Eleventh Street 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 a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on May 23, 1963, and on May 30, 1963, 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,

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 24th day of June, 1963, 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 as the WYLIE 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 attached hereto.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area 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.

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 Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 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 Tribune, 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 24th day of June, 1963, by Councilman Mitchell, 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: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

(SEAL)

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the BROUGHTON COLONY TRACT, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the Wylie Addition, as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records, said point being on the Southern line of Lot 22 of the Broughton Colony Tract; thence along the Southern line of Lot 22, North $89^{\circ} 56' 15''$ West, 597.42 feet, to a point on a line which is parallel with and 300.00 feet, measured at right angles, Easterly from the center line of a 40 foot Public Road known as Brighton Avenue; thence along said parallel line, North $0^{\circ} 29'$ West, 823.09 feet, to a point on the existing City Limits and the Southern line of the LORENZEN ADDITION, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records; thence along the existing City Limits and the Southern line of the Lorenzen Addition, South $89^{\circ} 55'$ East, 595.88 feet, to the Western line of the Wylie Addition; thence along the existing City Limits and the Western line of the Wylie Addition, South $0^{\circ} 35'$ East, 822.88 feet, to the point of beginning, containing 11.272 Acres, more or less.

~~AN ORDINANCE AMENDING SECTION MAP 31 OF THE~~
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (SPENCER ADDITION)

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

SECTION 1. ZONING CHANGE. Section 31 of the Zoning Map is hereby amended to reclassify the following described property from Interim Planned-Development Zone, (I)P-D(12), to Planned-Development Zone, P-D (12):

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot public road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 acres, being located north of California Avenue between Spencer Avenue and MID Lateral No. 5.

SECTION 2. USES. The following uses shall be permitted in said P-D (12) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

(a) Eleven (11) two (2) story apartment buildings containing a total of one hundred twenty-two (122) units, and off-street parking for one hundred fifty (150) automobiles.

SECTION 3. ZONING MAP. 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 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) ~~fifty (50)~~ 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 Tribune, 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 24th day of June, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES: Councilmen: VanderWall
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
~~XXXXXXXXXXXX~~, Mayor
PETER W. JOHANSEN,

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 592 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

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 8th day of July, 1963, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,
Tabbert, Mayor Johansen
NOES: Councilmen: VanderWall
ABSENT: Councilmen: None

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 7, 1963

ORDINANCE FAILED TO CARRY

AN ORDINANCE AMENDING SECTION 3-2.206 OF ARTICLE 2 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE AND SECTION 3-2.1510 OF ARTICLE 15 OF CHAPTER 2 OF TITLE III THEREOF RELATING TO PARKING OF CITY VEHICLES.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.206 of Article 2 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.206. EXEMPTIONS TO CERTAIN VEHICLES.

(a) The provisions of this chapter regulating the operation, parking and standing of vehicles shall not apply to any vehicle of the Police or Fire Department of the City, or any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle when such vehicle is operated in the manner specified in the Vehicle Code of the State of California in response to an emergency call.

(b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his wilful disregard of the safety of others.

(c) The provisions of this chapter regulating the parking or standing of vehicles shall not apply to any vehicle owned by a public utility while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

SECTION 2. AMENDMENT OF CODE. Section 3-2.1510 of Article 15 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1510. CITY VEHICLES. The provisions of this article shall not apply to vehicles owned or operated by the City, or privately owned and operated vehicles displaying authorized City parking stickers when such vehicles are parked in Parking Meter Zone 7 (PM-7).

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, 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 24th day of June, 1963, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mayor Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: Hughes, Mitchell, Patton, Shastid

ABSENT: Councilmen: None

APPROVED: _____
PETER W. JOHANSEN, Mayor

ATTEST: _____
REX E. GAILFUS, City Clerk

(SEAL)

THE ORDINANCE FAILED TO CARRY

AN ORDINANCE AMENDING SECTION 3-2.206 OF ARTICLE 2 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE AND SECTION 3-2.1510 OF ARTICLE 15 OF CHAPTER 2 OF TITLE III THEREOF, RELATING TO PARKING OF CITY VEHICLES.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.206 of Article 2 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.206. EXEMPTIONS TO CERTAIN VEHICLES.

(a) The provisions of this chapter regulating the operation, parking and standing of vehicles shall not apply to any vehicle of the Police or Fire Department of the City, or any public ambulance or any public utility vehicle or any private ambulance, which public utility vehicle or private ambulance has qualified as an authorized emergency vehicle when such vehicle is operated in the manner specified in the Vehicle Code of the State of California in response to an emergency call.

(b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his wilful disregard of the safety of others.

(c) The provisions of this chapter regulating the parking or standing of vehicles shall not apply to any vehicle owned by a public utility while necessarily in use for construction or repair work or any vehicle owned by the United States while in use for the collection, transportation or delivery of United States mail.

SECTION 2. AMENDMENT OF CODE. Section 3-2.1510 of Article 15 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1510. CITY VEHICLES. The provisions of this article shall not apply to vehicles owned or operated by the City, or privately owned and operated vehicles displaying authorized City parking stickers when such vehicles are parked in Parking Meter Zone 7 (PM-7).

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) 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 Tribune, the official newspaper of the City of Modesto.

meeting of the Council of the City of Modesto held on the 1st
day of July, 1963, by Councilman VanderWall,
who moved its introduction and passage to print, which motion
being duly seconded by Councilman Hughes, was upon
roll call carried and ordered printed and published by the
following vote:

AYES: Councilmen: Hughes, VanderWall, Mayor Johansen

NOES: Councilmen: Mitchell, Patton, Shastid, Tabbert

ABSENT: Councilmen: None

APPROVED: 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

ORDINANCE FAILED TO CARRY

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1964, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto a proposed budget for the 1963-64 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, 1963-64", presented by the City Manager to the City Council at its meeting held May 6, 1963, 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, 1964, 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 Tribune, 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 1st day of July, 1963, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

(SEAL)

AN ORDINANCE AMENDING SECTIONS 10-2.208 AND 10-2.265 OF ARTICLE 2 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE; AMENDING SECTIONS 10-2.501 AND 10-2.502 OF ARTICLE 5 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.602 OF ARTICLE 6 OF CHAPTER 2 OF TITLE X; AMENDING SECTIONS 10-2.702 AND 10-2.706 OF ARTICLE 7 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.801 OF ARTICLE 8 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.901 OF ARTICLE 9 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.1001 OF ARTICLE 10 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.1101 OF ARTICLE 11 OF CHAPTER 2 OF TITLE X; AMENDING SECTIONS 10-2.1201 AND 10-2.1203 OF ARTICLE 12 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.1507 OF ARTICLE 15 OF CHAPTER 2 OF TITLE X; AMENDING SECTIONS 10-2.1602, 10-2.1610, 10-2.1612 AND 10-2.1618 OF ARTICLE 16 OF CHAPTER 2 OF TITLE X; AMENDING SECTIONS 10-2.1801, 10-2.1802 AND 10-2.1807 OF ARTICLE 18 OF CHAPTER 2 OF TITLE X; AMENDING SECTIONS 10-2.2006 AND 10-2.2010 OF ARTICLE 20 OF CHAPTER 2 OF TITLE X; AMENDING SECTION 10-2.2110 OF ARTICLE 21 OF CHAPTER 2 OF TITLE X; AMENDING SECTIONS 10-2.2701, 10-2.2705, 10-2.2707, 10-2.2708 AND 10-2.2709 OF ARTICLE 27 OF CHAPTER 2 OF TITLE X; AND ADDING SECTIONS 10-2.215.1 AND 10-2.215.2 TO ARTICLE 2 OF CHAPTER 2 OF TITLE X THEREOF, RELATING TO ZONING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.208 of Article 2 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.208. BUILDING HEIGHT. The vertical distance measured from the average elevation of the front street curb to the highest point of the structure, exclusive of permitted penthouses and roof structures. Where buildings are set back from the front lot line, the height shall be measured from the average elevation of the finished grade of the front yard.

SECTION 2. AMENDMENT OF CODE. Sections 10-2.215.1 and 10-2.215.2 are hereby added to Article 2 of Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.215.1. CONSTRUCTION, COMPLETION OF. Construction shall be deemed to be complete at such time as the final required building inspection has been completed and approved by the Chief Building Inspector.

SEC. 10-2.215.2. CONSTRUCTION, START OF. Construction shall be deemed to have been started at such time as the first required inspection of forms has been completed and approved by the Chief Building Inspector.

2 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.265. STREET LINE. The boundary line between a street right of way and the abutting property.

SECTION 4. AMENDMENT OF CODE. Sections 10-2.501 and 10-2.502 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 building 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 County Health Department and the Secretary of the Commission.

- (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. 10-2.502. HEIGHT. No building shall exceed two (2) stories or thirty (30') feet, whichever is the lesser height, except those buildings occupied by uses as may be permitted by a conditional use permit.

SECTION 5. AMENDMENT OF CODE. Section 10-2.602 of Article 6 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.602. HEIGHT. No building shall exceed two (2) stories or thirty (30') feet, whichever is the lesser height, except those buildings occupied by uses as may be permitted by a conditional use permit.

SECTION 6. AMENDMENT OF CODE. Sections 10-2.702 and 10-2.706 of Article 7 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.702. HEIGHT. No building shall exceed two (2) stories or thirty (30') feet, whichever is the lesser height, except those buildings occupied by uses as may be permitted by a conditional use permit.

SEC. 10-2.706. SPECIAL PROVISIONS FOR GROUP DWELLINGS.

- (a) Group dwellings shall be considered as one building for the purpose of front, side and rear yard requirements, the entire group as a unit requiring one front and two (2) side yards as specified above for dwellings.
- (b) Each one story group dwelling development shall have a minimum court of thirty (30') feet in width, and thirty (30') feet in length, in addition to its required yards. Each two (2) story group dwelling development shall have a minimum court of forty (40') feet in width and forty (40') feet in length, in addition to its required yards.
- (c) In a group dwelling development no two (2) separate dwelling structures shall be closer to each other along the sides or end of a court than fifteen (15') feet.
- (d) The court shall be unoccupied by any building or other structures, except fire hydrants, utility poles, or other street improvements.
- (e) The court shall have an opening not less than thirty (30') feet wide onto the front yard of a lot which has a width not less than that required for a lot in the zone in which it is located, provided that a six (6') foot fence may be constructed across such opening.
- (f) All dwelling structures of the group, except those facing a public street, shall face upon the court.

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

SEC. 10-2.801. PERMITTED USES. In a C-1 zone only the following uses are permitted:

(a) Primary uses:

- (1) Accounting, auditing and bookkeeping services.
- (2) Advertising agency.
- (3) Ambulance service.
- (4) Apparel store and related accessories.
- (5) Artists' supplies and art shop.
- (6) Art studio.
- (7) Autograph and philatelist supply.
- (8) Baby sitters' agency.
- (9) Barber shop; beauty shop.
- (10) Boarding house.
- (11) Book and stationery sales.
- (12) Building supply; limited to retail sales.
- (13) Business and professional offices.
- (14) Camera and photographic supply.
- (15) China.
- (16) Christmas tree sales.
- (17) Cigar store and stand.
- (18) Coal and fuel sales office.
- (19) Consumer credit reporting agency; adjustment and collection agency.
- (20) Curtain store.
- (21) Diaper service.
- (22) Drapery store.
- (23) Drug and proprietary medicine.
- (24) Dry cleaners, coin operated.
- (25) Duplicating, addressing, mailing services; blueprinting and photostating services; stenographic services.
- (26) Eating and drinking establishments. Beer and wine may be served only in conjunction with meals. Music may be provided. The following are excluded:
 - (aa) Dancing and entertainment.
 - (ab) Dispensing of other alcoholic beverages.

- (27) Electrical repair shop.
- (28) Fireworks stand.
- (29) Florist, greenhouse, plant materials nursery.
- (30) Food stores.
- (31) Frozen food lockers, individual retail rental.
- (32) Garden supply.
- (33) General merchandise (excluding department store).
- (34) Gift, novelty and souvenir.
- (35) Glassware.
- (36) Gunsmith shop.
- (37) Hardware, limited to household and gardenware.
- (38) Hat cleaning.
- (39) Home furnishings such as pictures, frames, lamps, shades, awnings, and window shades.
- (40) Ice dealer, limited to not more than five (5) tons capacity.
- (41) Interior decorating service.
- (42) Janitorial service, window cleaning, disinfecting and exterminating.
- (43) Jewelry.
- (44) Laundry and dry cleaning agency, including self service.
- (45) Library.
- (46) Liquor (off premises consumption).
- (47) Locksmith shop.
- (48) Lodging house.
- (49) Luggage and leather goods.
- (50) Metalware shop.
- (51) Motel, hotel, membership hotel, apartment hotel.
- (52) Musical instruments and records.
- (53) News dealer and newsstand.
- (54) Non-profit membership organization, private club; fraternity, sorority; lodge.

- (55) Office supply sales.
 - (56) Paint, glass and wallpaper sales.
 - (57) Parking area.
 - (58) Parking garage.
 - (59) Pet store.
 - (60) Photographic studio, film processing.
 - (61) Radio and television sales and repair.
 - (62) Record sales.
 - (63) Repair shops, such as: bicycle, camera, fountain pen, lawn mower sharpening, knife and tool, musical instrument, saw sharpening, key duplication, and handyman repair service.
 - (64) Schools, such as music, art, dramatics, language, children's dancing, correspondence.
 - (65) Service station.
 - (66) Shoe repair shop, shoe shine parlor, shoe sales.
 - (67) Signs pertaining only to a use conducted within the building or on the lot or to lease or sale of the property or to trespassing.
 - (68) Sporting goods.
 - (69) Tailor and seamstress shop, including pressing.
 - (70) Taxi stand.
 - (71) Toy shop.
 - (72) Upholstery material store.
 - (73) Variety store.
 - (74) Watch, clock and jewelry repair.
- (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) Amusement and recreation services.
 - (2) Church; wedding chapel; funeral service.
 - (3) Child day care for more than six (6) children in addition to members of the family.
 - (4) Drive in restaurant.

- (5) Private recreational grounds and facilities not open to the general public and to which no admission charge is made.
 - (6) Public buildings or grounds operated by any governmental agency.
 - (7) 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.
 - (8) Radio or television transmitter.
 - (9) Rest home.
 - (10) Tower.
- (c) Accessory uses and buildings customarily incidental to the uses described in this section.
 - (d) Processing, packaging, treating or storing of materials to be sold at retail on the premises or to be sold wholesale; and manufacture of products to be sold at retail on the premises or on other lawfully existing commercial premises in the City of Modesto operated by the occupant of the premises where such products are manufactured, subject to the limitations and provisions of Section 10-2.802.

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

SEC. 10-2.901. PERMITTED USES. In a C-2 zone only the following uses are permitted:

- (a) Primary uses:
 - (1) Any use permitted in the C-1 (Neighborhood-Commercial) zone.
 - (2) Advertising signs and structures.
 - (3) Amusement and recreation services.
 - (4) Antique store.
 - (5) Appliance sales, household.
 - (6) Armored car service.
 - (7) Automobile or trailer rental.
 - (8) Automobile repair, excluding painting, upholstering, and body and fender work, except that which is incidental to general repair.

- (9) Bus terminal.
- (10) Coin operated machine rental service.
- (11) Department store; mail order house.
- (12) Detective and watching agency.
- (13) Drinking place.
- (14) Eating place.
- (15) Electrical supply store.
- (16) Employment agency.
- (17) Express office.
- (18) Farm and garden supply store.
- (19) Farm machinery sales, storage, repair and rental conducted wholly within an entirely enclosed building.
- (20) Floor covering sales.
- (21) Funeral service.
- (22) Furniture.
- (23) Furrier and fur shop, including repair and storage.
- (24) Hardware store.
- (25) Heating and plumbing equipment dealer.
- (26) Hobby shop.
- (27) Hospital supply.
- (28) House equipment display.
- (29) Ice dealer.
- (30) Insulation sales.
- (31) Leather goods, repair.
- (32) Mobile home dealer, including travel trailers, campers and camp cars.
- (33) Motion picture distributor.
- (34) Motion picture theater, indoor.
- (35) Motor vehicle dealer, new and used cars.
- (36) News syndicate.
- (37) Non-profit educational and scientific research agency.
- (38) Non-profit membership organization, except a church.
- (39) Orthopedic and artificial limb store.

- (40) Parts dealer, airplane, automobile, motorboat, motorcycle and trailer.
 - (41) Printing shop.
 - (42) Private museum or art gallery.
 - (43) Public address system business.
 - (44) Radio or television broadcasting studio.
 - (45) Research agency, commercial and testing laboratory.
 - (46) Roofing sales.
 - (47) Secondhand store.
 - (48) Sign painting shop.
 - (49) Steam bath; massage.
 - (50) Stone monument business, retail sales only, excluding stone cutting and blasting, other than lettering.
 - (51) Taxicab central office, cab maintenance, storage and repair, excluding painting, upholstering and body and fender work, except that which is incidental to general repair.
 - (52) Taxidermist shop.
 - (53) Tire, battery and accessory dealer, not including tire recapping and vulcanizing.
 - (54) Travel bureau.
 - (55) Upholstery and furniture repair.
 - (56) Vocational school.
 - (57) Weather stripping sales.
- (b) The following uses subject to the granting of a conditional use permit by the Board of Zoning Adjustment:
- (1) Car laundry.
 - (2) Carnival.
 - (3) Circus.
 - (4) Small animal hospital.
- (c) Accessory uses and buildings customarily incidental to the above.
- (d) Processing, packaging, treating, storing or manufacturing of products to be sold at retail on the premises or to be sold wholesale, subject to the provisions and limitations of Sec. 10-2.902.

SECTION 9.. AMENDMENT OF CODE. Section 10-2.1001 of Article 10 of Chapter 2 of Title X of the Modesto Municipal Code

is hereby amended to read as follows:

SEC. 10-2.1001. PERMITTED USES. In a C-M zone only the following uses are permitted as are hereinafter specifically provided and allowed:

- (a) Any use permitted in the C-2 zone.
- (b) Assembly of electrical appliances such as:
 - (1) Electronic instruments and devices.
 - (2) Radios and phonographs, including manufacture of small parts, such as coils.
- (c) Auction house or store.
- (d) Automobile sales agency and accessory service:
 - (1) Automobile assembly, body and fender works, dismantling and used parts storage, operated and maintained wholly within an entirely enclosed building.
 - (2) Automobile painting, provided all painting, sanding and baking shall be conducted wholly within an entirely enclosed building.
 - (3) Automobile and truck steam cleaning.
 - (4) Tire rebuilding, recapping and retreading.
- (e) Bakery; bottling plant, soft drinks.
- (f) Boat building (limited to those craft which may be transported over a state highway without permit).
- (g) Building specialty dealer, including the sale of insulation, weather stripping, roofing, specialty doors and windows, metal awnings and similar specialty items.
- (h) Cabinet shop.
- (i) Car laundry, using assembly line type process or other specialized processing service.
- (j) Carpet cleaning plant.
- (k) Ceramic products, manufacture of, including figurines, using only previously pulverized clay and kilns fired only by electricity or low pressure gas.
 - (l) Cleaning and dyeing plant.
- (m) Contractor's storage yard.
- (n) Equipment rental yard.
- (o) Feed and fuel yard (solid fuel only); farm machinery sales, storage, repair and rental.

- (p) Frozen food lockers.
- (q) Glass studio, stained, etc.
- (r) Glass edging, beveling and silvering in connection with sale of mirrors and glass for decorating purposes.
- (s) Laboratory: experimental, motion picture, testing.
- (t) Laundry.
- (u) Milk dealer; creamery and dairy products manufacture.
- (v) Parcel delivery service.
- (w) Plumbing, heating and air conditioning contractor.
- (x) Seed processing and packaging, treatment, storage and sale.
- (y) Sheet metal shop.
- (z) Tinsmith.
- (aa) Transfer, moving and storage of furniture and household goods.
- (ab) Upholstering shop.
- (ac) Veterinary hospital.
- (ad) Wholesale business, storage building and warehouse.
- (ae) Accessory uses and buildings customarily incidental to the above.

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

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

- (a) Any use permitted in the C-M zone, and the following uses, provided they are accessory to, incidental to and located upon the same piece of property as a commercial or an industrial use permitted in this zone:
 - (1) School.
 - (2) Church.
 - (3) Hospital.
 - (4) Dwelling.
- (b) Armature rewinding shop.

- (c) Battery rebuilding.
- (d) Blacksmith shop.
- (e) Bottling plant.
- (f) Brewery.
- (g) Distributing plant.
- (h) Draying, freighting or trucking yard or terminal.
- (i) Flour mill.
- (j) Food products manufacturing, storage and processing of, except lard, pickles, sauerkraut, sausages or vinegar.
- (k) Fruit and vegetable canning, preserving and freezing.
- (l) Garment manufacture.
- (m) Hatchery, and sale of baby chicks.
- (n) Ice and cold storage plant.
- (o) Lumber yard; building materials sales and storage, including rock, sand, gravel, brick and building blocks, but excluding concrete mixing, building block manufacture and rock crushing.
- (p) Machine shop; welding shop provided that all welding shall be conducted within an entirely enclosed building or solid fence or wall not less than six (6') feet in height.
- (q) Manufacture of prefabricated buildings.
- (r) Mill, planing, except that burning operations shall require a conditional use permit, as set forth in Article 20 of this chapter.
- (s) Paint mixing, provided a boiling process is not employed, no tank farm is permitted and above-surfacing thinner storage is limited to two hundred (200) gallons.
- (t) Pipe line booster or pumping plant in connection with water, oil, petroleum, gasoline or other petroleum products.
- (u) Plastics, fabrication from.
- (v) Poultry and rabbit slaughter, including custom dressing.
- (w) Public utility service yard or electrical receiving and/or transforming stations.
- (x) Rubber, fabrication of products made from finished rubber.
- (y) Shoe manufacture.
- (z) Soap manufacture, cold mix only.

- (aa) Storage space for transit and transportation equipment, except freight classification yards.
- (ab) Stone monuments and tombstone works.
- (ac) Textile manufacture.
- (ad) Tile, manufacture of wall and floor tile and related small tile products.
- (ae) Truck repairing, overhauling, and rental.
- (af) Manufacture, compounding, processing, packaging or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, and toiletries.
- (ag) Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paint, paper, plastics, precious or semiprecious metals or stones, rubber, shell, straw, textiles, tobacco, wood, wool and yarn.
- (ah) Manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures, sheet metal products, venetian blinds, window shades and awnings.
- (ai) Manufacture of musical instruments, toys, novelties, rubber and metal stamps, cameras and photographic equipment, business machines, household equipment.
- (aj) Accessory uses and buildings customarily incidental to the above.

SECTION 11. AMENDMENT OF CODE. Sections 10-2.1201 and 10-2.1203 of Article 12 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.1201. PERMITTED USES. In an M-2 zone only the following uses are permitted as are hereinafter specifically provided and allowed in this section and those specifically provided and allowed in Section 10-2.1203, subject to a conditional use permit.

- (a) Any use permitted in the M-1 zone.
- (b) Acetylene gas manufacture or storage.
- (c) Acid manufacture and reclaiming.
- (d) Aircraft factory.
- (e) Alcohol manufacture.
- (f) Ammonia, bleaching powder or chlorine manufacture.
- (g) Asphalt manufacture and refining.

- (h) Boiler works.
- (i) Brick, tile, cement block or terracotta manufacture, including heavy tile products.
- (j) Concrete products manufacture.
- (k) Cotton gin or oil mill.
- (l) Foundry or fabrication plant.
- (m) Freight classification yard.
- (n) Gas, processing and manufacturing.
- (o) Lamp black manufacture.
- (p) Natural gasoline, processing and absorption plants.
- (q) Petroleum or its fluid products, wholesale storage of.
- (r) Potash works.
- (s) Railroad repair shop.
- (t) Roofing manufacture.
- (u) Rolling mill.
- (v) Salt works.
- (w) Soap manufacture.
- (x) Soda and compound manufacture.
- (y) Stove or shoe polish manufacture.
- (z) Wool pulling or scouring.
- (aa) Accessory uses and buildings customarily incidental to the above.

SEC. 10-2.1203. M-2 USES REQUIRING CONDITIONAL USE PERMIT.

- (a) Blast furnace or coke oven.
- (b) Cement, lime, gypsum or plaster of paris manufacture.
- (c) Distillation of bones.
- (d) Drop forge industry.
- (e) Explosives, manufacture or storage.
- (f) Fat rendering.
- (g) Fertilizer manufacture.
- (h) Garbage, offal or dead animal reduction or dumping.
- (i) Glue, manufacture of.
- (j) Oilcloth or linoleum manufacture.

- (k) Oil extracting and dehydration facilities, or reduction.
- (l) Oil extraction plants, other than petroleum products.
- (m) Paint, oil, shellac, turpentine or varnish manufacture.
- (n) Paper pulp manufacture.
- (o) Petroleum refinery, together with all plants and facilities incidental to the operation thereof in connection with the manufacture of all present and future byproducts of oil, petroleum, gas, gasoline and other hydrocarbon substance.
- (p) Petroleum; storage, processing, transportation and distribution of oil, petroleum and other hydrocarbon substances.
- (q) Plastics, manufacture of.
- (r) Refuse, disposal of.
- (s) Rock crusher.
- (t) Rubber, reclaiming, or the manufacture of synthetic rubber or its constituents.
- (u) Smelting of tin, copper, zinc or iron ores.
- (v) Stock yards or slaughter of animals.
- (w) Stone mill.
- (x) Storage or bailing of rags, paper, iron or junk.
- (y) Tannery.
- (z) Tar distillation or tar products manufacture.
- (aa) Used car junk area.
- (ab) Winery.
- (ac) Accessory uses and buildings customarily incidental to the above.

SECTION 12. AMENDMENT OF CODE. Section 10-2.1507 of Article 15 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1507. TEMPORARY REAL ESTATE OFFICE. One temporary real estate office, or one temporary real estate billboard, or both such office and billboard may be located in any subdivision. Such office and billboard shall be used only for the sale of property located in the subdivision in which such office and billboard are located. The temporary real estate office and billboard shall not exceed a total of three hundred (300) square feet in area and shall be removed at the end of two (2) years from the date of the recording of the final map of the subdivision upon which

said office and billboard are located." If less than one-half (1/2) of the lots in such subdivision have been sold at the end of such two (2) year period, a conditional use permit may be granted by the Board of Zoning Adjustment for the extension of the time of establishment and removal of such office and billboard.

SECTION 13. AMENDMENT OF CODE. Sections 10-2.1602, 10-2.1610, 10-2.1612 and 10-2.1618 of Article 16 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.1602. HEIGHT OF PENTHOUSES AND ROOF STRUCTURES. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, television aerials or similar equipment required to operate and maintain the building; fire or parapet walls, skylights, towers, roof signs, flag poles, chimneys, smoke stacks, wireless masts and similar structures may be erected above the height limits prescribed by this chapter upon the securing of a conditional use permit from the Board of Zoning Adjustment in accordance with Article 20 of this Chapter.

SEC. 10-2.1610. PROJECTIONS INTO YARDS AND COURTS. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for:

- (a) The ordinary projection of sills, belt course, cornices, buttresses, ornamental features and eaves, which may project into a minimum court not more than one foot and into a minimum yard not more than two (2') feet.
- (b) Fire escapes, unenclosed outside stairways and uncovered porches or platforms, which may project into a minimum court or minimum yard not more than four (4') feet.
- (c) The ordinary projections of chimneys and flues, which may project into a minimum court or minimum yard not more than eighteen (18") inches.
- (d) The projection of a roof line of an attached garage or carport into a yard to a distance equal to that allowed the roof line of the main portion of the house, provided that the opening of such garage or carport shall be no closer than twenty (20') feet to the property line toward which the garage or carport faces.

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 (7 1/2') 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 six (6') foot fence, wall or hedge on such C-1 or C-2 property may be extended along the side property line to the front property line of such C-1 or C-2 property.
- (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 six (6') foot fence, wall or hedge on such C-M, M-1 or M-2 property may be extended along the side property line to the front property line of such C-M, M-1 or M-2 property.
- (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.

SEC. 10-2.1618. SUBSTANDARD LOTS. When a lot has less than the minimum required area or width as set forth in any of the zones contained herein, or in a precise plan, and was of record on the effective date of this chapter or is a part of a subdivision the tentative map of which was approved by the City or County Planning Commission prior to the effective date of this chapter, such lot shall be deemed to have complied with the minimum required lot area and width as set forth in any such zone

or precise plan, except that such substandard lot shall qualify for only one single-family residence; provided, however, that if such substandard lot contains the minimum required lot area for a use in the zone in which such lot is located and if the width of such lot is not less than fifty (50') feet, then the lot may qualify for such use. On such substandard lot the width of each side yard for a dwelling may be reduced to a width which is not less than the same percentage of the width of the lot as the required side yard would be of the required lot width, provided that on interior lots no side yard shall be less than three (3') feet and on corner and reversed corner lots no side yard on the side street side shall be less than seven and one-half (7 1/2') feet and the other side yard be not less than three (3') feet. Such substandard lot shall also be entitled to a reduction in the required setback for garages and carports, provided that on interior lots no such setback shall be less than five (5') feet and on corner lots no such setback shall be less than seven and one-half (7 1/2') feet.

SECTION 14. AMENDMENT OF CODE. Sections 10-2.1801, 10-2.1802 and 10-2.1807 of Article 18 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.1801. GENERAL.

- (a) Every building hereafter erected shall be provided with parking space as provided in Section 10-2.1802 subject to the other provisions of this article. Such parking space shall be made permanently available and be permanently maintained for parking purposes.
- (b) Every building hereafter enlarged, reconstructed, remodeled or structurally altered shall be provided with parking spaces to compensate for the additional parking demand, if any, created by such enlargement, reconstruction, remodeling or structural alteration. The parking spaces required by this subsection shall be determined by subtracting the number of parking spaces required by the provisions of Section 10-2.1802 of this chapter for the building as used prior to its enlargement, reconstruction, remodeling or structural alteration from the number of spaces required by said section for the building for its proposed use after its enlargement, reconstruction, remodeling or structural alteration. Such parking space shall be made permanently available and be permanently maintained for parking purposes. For buildings other than dwellings, if the number of parking spaces thus determined does not exceed the number of spaces required by the provisions of Section 10-2.1802 for the building as used prior to its enlargement, reconstruction, remodeling or structural alteration by five (5) spaces, no parking space need be provided by reason of the enlargement, reconstruction, remodeling or structural alteration of the building. In the event it is not possible

to determine the number of parking spaces required for a particular building in the manner prescribed by this subsection, the Planning Commission shall determine an adequate number of parking spaces for such a building based on standards comparable to those contained in Section 10-2.1802 of this chapter.

- (c) Notwithstanding the provisions of subsection (a) above, if any existing building is hereafter removed or demolished to provide a site for a building, the new building shall be provided with parking spaces in conformance with Subsection (b) of this section.
- (d) When the computation of the number of off-street parking spaces required by this article results in a fractional space, such fractional space shall be counted as one parking space.

SEC. 10-2.1802. PARKING SPACES REQUIRED. Except as otherwise provided in this article, the number of off-street parking spaces required shall be as follows:

Motels . . . one for each sleeping unit or dwelling unit.

Business or professional offices, banks -- one for each five hundred (500) square feet of gross floor area.

Medical or dental clinics or offices -- one for each two hundred (200) square feet of gross floor area.

Bowling alleys -- eight (8) for each lane.

Churches -- one for each five (5) seats.

Dance Halls -- one for each fifty (50) square feet of gross floor area used for dancing.

Dwellings --

Single-family -- one for each dwelling unit.

Two-family -- one for each dwelling unit.

Multiple-family -- one and a half (1.5) for each dwelling unit.

Establishments for the sale and consumption of food and beverages on the premises -- one for each four (4) seats, including stools, benches and booths, or one for each sixty (60) square feet of dining area when the number of seats is unknown.

Retail stores -- one for each five hundred (500) square feet of gross floor area.

Hospitals -- adequate number as determined by the Planning Commission.

Hotels -- one for each three (3) guest rooms.

Libraries -- one for each five hundred (500) square feet of gross floor area.

Manufacturing plants and kindred uses -- one for each four (4) employees on the site at any one time including changes of shifts.

Motor vehicle and machinery repair -- one for each six hundred (600) square feet of gross floor area, with repair space for motor vehicles or machinery not counted as parking space.

Mortuaries and funeral homes -- one for each five (5) seats in the assembly room used for services.

Wholesale stores -- one for each eight hundred (800) square feet of gross floor area.

Warehouse and storage buildings -- one for each four (4) employees.

Rooming and lodging houses, clubs and fraternity houses having sleeping rooms -- one for each two (2) sleeping rooms.

Clubs and lodges not having sleeping rooms -- adequate number as determined by the Planning Commission.

Sanatariums, children's homes, homes for the aged, nursing homes -- one for each four (4) beds.

Schools -- adequate number as determined by the Planning Commission.

Stadiums, sports arenas, auditoriums -- one for each five (5) seats of maximum seating capacity.

Theaters -- one for each five (5) seats.

Transportation terminal facilities -- adequate number as determined by the Planning Commission.

SEC. 10-2.1807. REQUIRED IMPROVEMENT AND MAINTENANCE OF PARKING AREA. Every lot used as a public or private parking area and having a capacity of five (5) or more vehicles shall be developed and maintained in the following manner:

(a) **Surface of Parking Area.** Off-street parking areas shall be paved or otherwise surfaced and maintained so as to eliminate dust or mud and shall be so graded and drained as to dispose of all surface water. In no case shall such drainage be allowed across sidewalks.

(b) **Border Barricades, Screening and Landscaping:**

(1) Every parking area that is not separated by a fence from any street or alley property line upon which it abuts, shall

rier not less than six (6") inches in height, located not less than two (2') feet from such street or alley property lines, and such curb or barrier shall be securely installed and maintained, provided no such curb or barrier shall be required across any driveway or entrance to such parking area.

- (2) Every parking area abutting property located in one of the "R" zones shall be separated from such property by a solid wall, view obscuring fence or compact evergreen hedge six (6') feet in height measured from the grade of the finished surface of such parking lot closest to the contiguous "R" zone property, provided that in all zones which require a front yard, fences on corner lots shall meet the vision clearance requirements of Section 10-2.1609. No such wall, fence or hedge need be provided where the elevation of that portion of the parking area immediately adjacent to an "R" zone is six (6') feet or more below the elevation of such "R" zone property along the common property line.
 - (3) Any lights provided to illuminate any parking area, or used car sales area permitted by this Chapter shall be arranged so as to reflect the light away from any premises upon which a dwelling unit is located.
- (c) Entrances and exits: The location and design of all entrances and exits shall be subject to the approval of the City Traffic Engineer.

SECTION 15. AMENDMENT OF CODE. Sections 10-2.2006 and 10-2.2010

of Article 20 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.2006. NOTICE AND HEARING ON APPLICATION FOR VARIANCE AND CONDITIONAL USE PERMITS. Upon the filing of an application for a variance or conditional use permit, the Secretary of the Board shall either (1) place the matter on the agenda for consideration by the Board at a subsequent meeting and give notice by mail of the time, place and purpose thereof to the applicant at least three (3) days before said meeting, or (2) set the matter for a public hearing at a subsequent meeting of the Board and give notice as provided in subsection (b) of Section 10-2.2206.

SEC. 10-2.2010. EFFECTIVE DATE OF ORDER GRANTING OR DENYING PERMIT. TIME FOR APPEAL. The resolution of the Board of Zoning Adjustment in granting or denying a variance or conditional use permit shall become final and effective fifteen (15) days after the date of adoption of the resolution granting or denying the variance or conditional use permit unless within such fifteen (15) day period an appeal is filed with the Council by any person dissatisfied with the decision of the Board of Zoning Adjustment. The filing of such appeal within such time limit shall stay the effective date of the order of the Board of Zoning Adjustment until such time as the Council has acted on the appeal as hereafter set forth in this Chapter.

Article 21 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.2110. COMMISSION ACTION SHALL BE FINAL WHEN DENYING APPLICATION. The action of the Planning Commission in denying an application for amendment or an application for an unclassified use permit shall be final and conclusive unless within fifteen (15) days following the date of the adoption of the resolution an appeal in writing is filed with the Council by the applicant.

SECTION 17. AMENDMENT OF CODE. Sections 10-2.2701, 10-2.2705, 10-2.2707, 10-2.2708 and 10-2.2709 of Article 27 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.2701. PURPOSE. The Planned Development zone is designed to accommodate various types of development such as neighborhood and district shopping centers, professional and administrative areas, multiple-housing developments, single-family residential developments, commercial service centers and industrial parks or any other use or combinations of uses which can be made appropriately a part of a planned development.

SEC. 10-2.2705. HEIGHT AND SPACE REQUIREMENTS. Maximum height and bulk and minimum lot size, density, setback, yard, parking and loading requirements shall be established for each P-D zone by the Development Plan approved by the Council.

SEC. 10-2.2707. ESTABLISHMENT AND REMOVAL OF P-D ZONES. P-D zones may be established or removed from the Zoning Map upon the application of a property owner or owners or upon the initiative of the Council or Planning Commission in accordance with the procedures set forth in Article 21 for amendments. No P-D zone shall be adopted unless a Development Plan has been approved for such P-D zone. Any development in a P-D zone shall be subject to the requirements of this article and shall be in conformity with the requirements of the Development Plan adopted for such P-D zone.

SEC. 10-2.2708. DEVELOPMENT PLAN. An application for a P-D zone shall be made to the Planning Commission and shall include and be accompanied by a Development Plan. The P-D zone, when adopted, shall become part of the zoning map of the City of Modesto as provided for by Article 3 of this chapter and the Development Plan for such P-D zone shall be adopted by resolution.

- (a) Any changes in the Development Plan which involve uses shall be made in accordance with the procedures set forth in Article 21 for an unclassified use permit.
- (b) If changes are proposed to the Development Plan which do not involve uses, the Secretary of the Board shall have the power

to approve such changes, provided that they conform in principle to the approved Development Plan. If, in the opinion of the Secretary of the Board, the changes do not conform in principle to the approved Development Plan, such changes shall be made in accordance with the procedures set forth in Article 20 for conditional use permits.

(c) The Development Plan shall include:

- (1) A map showing any street system and lot design proposed within the zone. Any areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and other such uses must be shown. Compliance with this requirement shall not be construed to relieve the applicant from compliance with the subdivision regulations or any other applicable regulations of the City of Modesto.
- (2) A plot plan for each building site or sites in the proposed P-D zone or any portion thereof as required by the Planning Commission. A plot plan shall show the approximate location of all proposed buildings, indicating maximum and minimum distances between buildings and between buildings and property or building site lines.
- (3) Elevations and/or perspective drawings of all proposed structures except single-family residences and their accessory buildings. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the proposed structures to the end that the entire development will have architectural unity and be in harmony with surrounding developments.
- (4) Any or all of the following plans and diagrams may also be required by the Planning Commission or similar information may be required to be included on the plot plan or appended thereto:
 - (aa) Off-street parking and loading plan.
 - (ab) A circulation diagram indicating the proposed movement of vehicles, goods, and pedestrians within the P-D zone and to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown.

(ac) Landscaping and tree planting plan.

(ad) A map showing the topography of the proposed zone at one foot contour intervals.

(ae) An economic feasibility report or market analysis.

SEC. 10-2.2709. DEVELOPMENT SCHEDULE.

- (a) An application for a P-D zone shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date when construction of the project can be expected to begin, the anticipated rate of development, and the completion date. The development schedule if approved by the Council, shall become part of the development plan and shall be adhered to by the owner of property in the P-D zone and his successors in interest. The City shall require posting of a performance bond in an amount to be determined by the City Engineer to cover the cost of public improvements adjacent to the proposed development prior to the issuance of the building permit for first phase of construction.
- (b) From time to time the Planning Commission shall compare the actual development accomplished in the various P-D zones with the approved development schedules.
- (c) If the owner or owners of property in P-D zones have failed to meet the approved development schedule, the Commission shall initiate proceedings under Article 21 of this chapter to repeal the P-D zone and rezone the property to the zone classification it held immediately prior to being zoned P-D.
- (d) Upon recommendation of the Planning Commission and for good cause shown by the property owner, the Council may extend the limits of the development schedule provided that any request for an extension of these limits shall be on file in the office of the Secretary of the Planning Commission at least thirty (30) days prior to the expiration of any time limit required by the development schedule.

SECTION 18. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 19. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1963, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus
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 15th day of July, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: August 14, 1963

AN ORDINANCE AMENDING SECTION MAP 21 OF THE
FIRE ZONING MAP OF THE CITY OF MODESTO, RECLASSI-
FYING CERTAIN PROPERTY LOCATED THEREON.

The Council of the City of Modesto does ordain as fol-
lows:

SECTION 1. ZONING CHANGE. Section 21 of the Fire Zon-
ing Map is hereby amended to reclassify the following described pro-
perties from Fire Zone 3, to Fire Zone 2:

Parcel Beginning at the Northwestern corner of the
No. 1 Drake Addition, as per description filed May 4,
1962, as Instrument 17325, Stanislaus County
Records, said point being North 0° 10' West,
180.00 feet from the center line of Coolidge
Avenue, and 25.00 feet, measured at right angles,
Westerly from the center line of McHenry Avenue;
thence along the boundary of the Drake Addition
the following bearings and distances; South
89° 00' East, 340.40 feet, South 0° 10' East,
160.00 feet, South 89° 00' East, 149.60 feet,
South 0° 10' East, 125.00 feet, thence leaving
the boundary and continuing South 0° 10' East,
85.00 feet, to a point on the boundary of the
Drake Addition and the Northern line of Drake
Avenue; thence along the boundary of the Drake
Addition, North 89° 00' West, 20.00 feet;
thence South 0° 10' East, 140.00 feet, to the
Southeast corner of the Drake Addition and a
point on the Northern line of the East Orange-
burg Addition, as per description filed June 29,
1960, as Instrument 18295, Stanislaus County
Records; thence along the Northern line of the
East Orangeburg Addition the following bearings
and distances, South 89° 00' East, 215.04 feet,
South 0° 10' East, 150.00 feet; thence leaving
the boundary of the East Orangeburg Addition,
North 89° 00' West, 110.00 feet; thence South
0° 10' East, 180.00 feet, to the center line
of East Orangeburg Avenue; thence along said
center line, North 89° 00' West, 201.00 feet;
thence South 0° 08' 30" East, 330.07 feet, to
a point on the Southern line of the East
Orangeburg Addition; thence along said Southern
line, North 89° 00' 30" West, 374.57 feet, to
the Western line of the East Orangeburg Addition;
thence along said Western line, North 0° 10'
West, 660.38 feet, to the Northwestern corner
of the East Orangeburg Addition and the South-
western corner of the Drake Addition; thence
along the Western line of the Drake Addition,
North 0° 10' West, 510.00 feet, to the point
of beginning.

Parcel
No. 2

Beginning at a point on the existing City Limits as established by the Eastern line of the North Central Addition, as per description filed July 15, 1953, as Instrument 17507, and the Southern line of the Helm Addition, as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records, said point being North $0^{\circ} 56'$ West, 330.33 feet from the center line of Roseburg Avenue, and 25.00 feet, measured at right angles, Westerly from the center line of McHenry Avenue; thence along the boundary of said Helm Addition the following bearings and distances, North $0^{\circ} 56'$ West, 330.33 feet, South $89^{\circ} 48'$ East, 674.90 feet, South $0^{\circ} 50'$ East, 330.24 feet, North $89^{\circ} 49'$ West, 674.80 feet, to the point of beginning.

Parcel
No. 3

Beginning at a point on the existing City Limits, as established by the Eastern line of the North Central Addition, as per description filed July 15, 1953, as Instrument 17507, and the Northwestern corner of the Fair Addition, as per description filed February 8, 1963, as Instrument 5123, Stanislaus County Records, said point being Southeay 20.00 feet from the Center Line of Roseburg Avenue and Westerly 25.00 feet from the Center Line of McHenry Avenue, measured at right angles; thence along the boundary of the Fair Addition the following bearings and distances, South $89^{\circ} 51'$ East, 237.00 feet, South $0^{\circ} 56'$ East, 98.00 feet, South $89^{\circ} 51'$ East, 80.00 feet, South $0^{\circ} 56'$ East, 196.00 feet, North $89^{\circ} 51'$ West, 80.00 feet, South $0^{\circ} 56'$ East, 176.90 feet, South $89^{\circ} 51'$ East, 80.65 feet, South $0^{\circ} 56'$ East, 126.65 feet, North $89^{\circ} 51'$ West, 3.75 feet, South $0^{\circ} 56'$ East, 360.00 feet, North $89^{\circ} 51'$ West, 69.22 feet, South $0^{\circ} 56'$ East, 123.26 feet, South $89^{\circ} 51'$ East, 119.99 feet, South $0^{\circ} 56'$ East, 195.47 feet, North $88^{\circ} 50'$ West, 9.47 feet, South $0^{\circ} 51'$ East, 100.94 feet, to the Northeast corner of the Allen Addition, as per description filed November 10, 1959, as Instrument 32914, Stanislaus County Records; thence along the boundary of the Allen Addition the following bearings and distances: South $88^{\circ} 57'$ West, 80.00 feet, South $0^{\circ} 56'$ East, 21.56 feet; thence leaving the boundary of the Allen Addition and continuing South $0^{\circ} 56'$ East, 103.44 feet, to the Northern line of Hintze Avenue and the boundary of the Allen Addition; thence along the boundary of the Allen Addition the following bearings and distances: South $88^{\circ} 57'$ West, 12.00 feet; South $0^{\circ} 56'$ East, 60.00 feet, South $88^{\circ} 57'$ West, 263.00 feet, North $0^{\circ} 56'$ West, 163.44 feet to the Northwestern corner of the Allen Addition and the Southwestern corner of the Fair Addition; thence along the Western line of the

Fair Addition, North 0° 56' West, 1404.06 feet,
to the point of beginning.

SECTION 2. ZONING MAP. Section Map 21 of the Fire 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 thirty (30) 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 Tribune, 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 5th day of August, 1963, by Councilman Shastid, 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: Hughes, Shastid, Tabbert, VanderWall, Mayor
Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Patton

APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley
~~RECORDED & INDEXED~~
PAULINE P. STANLEY, Acting City Clerk

(SEAL)

Ordinance 597 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19th day of August, 1963, Councilman Shastid 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: Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Mitchell

APPROVED *Peter W. Johansen*
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: September 18, 1963

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

WHEREAS, on the 1st day of July,
1963, pursuant to the provisions of the Annexation of Uninhabited
Territory Act of 1939, as amended, the Council of the City of
Modesto, on its own motion, adopted Resolution No. 63-333
giving notice of the proposed annexation of certain uninhabited
territory to the City of Modesto, hereinafter described and
designated as McBRIDE ADDITION,
situate in the County of Stanislaus, State of California, and con-
tiguous to the City of Modesto, and

WHEREAS, said Resolution No. 63-333 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 a newspaper of general
circulation to wit: The Modesto Tribune, a newspaper
published in the City of Modesto and being the official newspaper
of the City of Modesto on July 11, 1963, and
July 18, 1963 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 protest was 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 12th day of August, 1933, at the hour of 8:00 o'clock P.M., in the Council Chambers at the City Hall, located at 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 so annexed, designated as _____
McBRIDE 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 attached hereto.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

SECTION 4. 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 5. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.


SECTION 6. 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 7. 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 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Shastid, who moved its adoption, and passage to print, which motion being duly seconded by Councilman Hughes, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, Vice Mayor VanderWall
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST: 
REX E. GAILFUS, City Clerk

APPROVED: 
~~EDWARD W. JOHANSEN, Mayor~~
RICHARD VANDERWALL,
Acting Mayor

(SEAL)

MCBRIDE ADDITION

All that real property in the State of California, County of Stanislaus, Sections 1 and 12, Township 4 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Western line of the Modesto Sewage Disposal Plant Area Addition, as per description Recorded March 7, 1950 as Instrument 5120, Stanislaus County Records, said point being the section corner common to Sections 1 and 12; thence along the East line of Section 12, South $00^{\circ} 11'$ East, 324 feet, to the center line of the Tuolumne River; thence meandering Northwesterly downstream along said center line, to a point on the North-South quarter quarter line of the Southeast quarter of Section 1; thence along said quarter quarter line, North $00^{\circ} 16'$ West, 925 feet to a point on the Southern line of a 60 foot Public Road known as Robertson Road, as shown on the map of Tuolumne Terrace, filed November 15, 1945 in Volume 14 of Maps, Page 39, Stanislaus County Records; thence along said Southern line of Robertson Road, South $78^{\circ} 44'$ East, 1349.72 feet, to a point on the East line of Section 1; thence along said section line, South $00^{\circ} 11'$ East, 1296.16 feet, to the point of beginning, containing 38.910 Acres, more or less.

AN ORDINANCE AMENDING SECTION MAP 28 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (W. S. Lawson)

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

SECTION 1. ZONING CHANGE. Section 28 of the Zoning Map is hereby amended to reclassify the following described property from Two-Family Residential Zone, R-2, to Multiple-Family Residential Zone, R-3:

Beginning at a point at the intersection of McHenry Avenue, an 80-foot street, and East Morris Avenue, a 60-foot street; thence east along the center line of East Morris Avenue 175 feet to the point of beginning of this description; thence continuing east along the center line of East Morris Avenue 379 feet; thence south along the east line of lot 13 Block 562 extended 330 feet to the south line of Block 562; thence west 379 feet along the south line of Block 562; thence north 330 feet to the point of beginning, said properties being located on the south side of East Morris Avenue between the C-2 zone on McHenry Avenue and the lots fronting on Johnson Street.

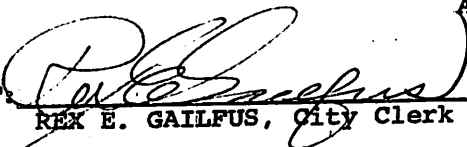
SECTION 2. ZONING MAP. Section Map 28 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

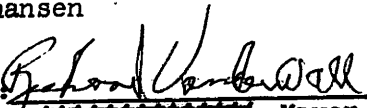
SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after ~~thirty~~ thirty (30) ~~days~~ days after its final passage and adoption.

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 Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1963, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Shastid, Patton, Tabbert, Vice Mayor VanderWall
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Mayor Johansen

ATTEST: 
REX E. GAILFUS, City Clerk

APPROVED: 
~~Richard VanderWall~~, Mayor
~~Richard VanderWall~~,
RICHARD VANDERWALL, Acting

(SEAL)

Ordinance 599 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED *Peter W. Johansen*
PETER W. JOHANSEN, Mayor

ATTEST: *Pauline P. Stanley*
~~RENEE LYNN KEMPUS~~, City Clerk
PAULINE P. STANLEY, Acting

EFFECTIVE DATE: September 25, 1963

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

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

SECTION 1. ZONING CHANGE. Section 19 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone Zone, R-2:

Lots 10, 11, 12 and 13 in Block 6248, Campus Edge #2 Subdivision.

SECTION 2. ZONING MAP. 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after ~~thirty~~ thirty (30) ~~days~~ 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 Tribune, 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 63, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell

APPROVED: Peter W. Johansen
~~XXXXXXXXXXXX~~ Mayor
PETER W. JOHANSEN,

ATTEST: Rex E. Gailfus
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 9th day of September, 1963, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,
Tabbert, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 9, 1963

Ordinance 600 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.