

AN ORDINANCE AMENDING SECTIONS 9-1.01, 9-1.07.1, AND 9-1.13 OF CHAPTER 1 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, ADDING SECTION 9-1.17.1 THERETO, AND REPEALING SECTION 9-1.21 THEREOF, RELATING TO THE BUILDING CODE.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-1.01, 9-1.07.1, and 9-1.13 of Chapter 1 of Title IX of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 9-1.01. ADOPTION BY REFERENCE OF "UNIFORM BUILDING CODE." That certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as "Uniform Building Code, 1964 Edition, Volume 1," 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. 9-1.07.1. DEMOLITION OF BUILDINGS: CLEARANCE OF SITE AND SAFETY MEASURES REQUIRED. That Section 307 of said Building Code be amended to read as follows:

Section 307. Prior to the issuance of a permit to demolish a building, the owner or lessee of the property on which the building is to be demolished shall file with the City Clerk a bond or other form of security in favor of the City of Modesto conditioned as follows:

(a) Before any work is started on a building or structure, the permittee or his authorized agent shall notify the appropriate utilities in order that all gas, water and oil pipelines that are to be disconnected from the building may be securely capped and sealed.

(b) Immediately after the demolition of any building or structure the permittee or his authorized agent shall securely barricade all basement excavations and other holes or openings.

(c) Within ten (10) days after the demolition of any building or structure, the permittee or his authorized agent shall complete the following work:

(1) Securely close and seal any sanitary piping located on the property.

(2) Fill with dirt or sand any septic tanks or cesspools located on the property.

(3) Fill any openings, excavations or basements remaining on the land with dirt or sand to street level or the natural level of adjoining property unless otherwise directed by the Director of Public Works.

(4) Remove any buried underground tanks formerly used for storage of flammable liquids as may be required by the Fire Department.

(5) Remove all refuse, debris and waste materials from the property.

The bond required by this section shall be in an amount equal to the cost of the work proposed to be done as estimated by the Director of Public Works.

The bond may be in the form of a corporate surety bond, cash deposit, savings and loan certificate, or an instrument of credit.

An extension of time for completion of the work required by this section may be granted by the Director of Public Works when, in his discretion, circumstances justify such an extension; but no such extension shall release any bond or other security furnished pursuant to this section.

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

Section 1310. Audible fire warning signals shall be placed in all halls and corridors in all Group H buildings having more than six (6) units or more than six (6) individual guest rooms. 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.

SECTION 2. AMENDMENT OF CODE. Section 9-1.17.1 is hereby added to Chapter 1 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-1.17.1. EXCAVATION AND GRADING. That Chapter 70 of said Building Code is hereby deleted.

SECTION 3. REPEALS. Section 9-1.21 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby repealed.

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. 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 6. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto ^{Bee} ~~Examiner~~, 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 July, 1966, 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, Patton, Shastid, VanderWall, Maypr Johansen.

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

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

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY ELWYN L. JOHNSON, City Attorney

Ord. No. 801-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 July, 1966, Councilman

Shastid moved its final 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, Patton, Shastid, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Smith

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 24, 1966

AN ORDINANCE AMENDING SECTION 9-2.101 OF ARTICLE 1 OF CHAPTER 2 OF TITLE IX OF THE MODESTO MUNICIPAL CODE AND ADDING SECTIONS 9-2.112.1 AND 9-2.120.1 THERETO, RELATING TO THE PLUMBING CODE.

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

SECTION 1. AMENDMENT OF CODE. Section 9-2.101 of Article 1 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

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, 1964 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.

SECTION 2. AMENDMENT OF CODE. Section 9-2.112.1 is hereby added to Article 1 of Chapter 2 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-2.112.1. CLEANOUTS. That subsection (g) of Section 406 of said Plumbing Code be amended to read as follows:

(g) Each cleanout in piping two (2") inches or less in size shall be so installed that there is a clearance of not less than twelve (12") inches in front of cleanout. Cleanouts in piping larger than two (2") inches shall have a clearance of not less than eighteen (18") inches in front of the cleanout. Terminal cleanouts in underfloor piping shall be extended to or above the finished floor or shall be extended outside the building when there is less than eighteen (18") inches vertical and thirty (30") inches horizontal clearance from the means of access to such cleanout.

SECTION 3. AMENDMENT OF CODE. Section 9-2.120.1 is hereby added to Article 1 of Chapter 2 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-2.120.1. INSTALLATION, INSPECTION AND TESTING.
That subsection (c) of Section 1008 of said Plumbing
Code is hereby deleted.

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. SAVINGS. The provisions of this ordinance shall not affect any proceedings, 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 of 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 6. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto ^{Bee} ~~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 July, 1966, 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, Patton, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

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

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

(SEAL)
APPROVED AS TO FORM: Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

Ord. No. 802-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 July, 1966, Councilman

Shastid moved its final 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, Patton, Shastid, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Smith

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 24, 1966

ORDINANCE NO. 803 -C.S.

AN ORDINANCE AMENDING SECTIONS 9-3.102, 9-3.103, 9-3.109 AND 9-3.110 OF CHAPTER 3 OF TITLE IX OF THE MODESTO MUNICIPAL CODE AND REPEALING SECTION 9-3.113 THEREOF, RELATING TO THE ELECTRICAL CODE.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-3.102, 9-3.103, 9-3.109 and 9-3.110 of Article 1 of Chapter 3 of Title IX of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 9-3.102. ADOPTION OF UNIFORM ELECTRICAL CODE AND NATIONAL ELECTRICAL CODE. Those certain documents in book form entitled, "Uniform Electrical Code, 1962 Edition," published by the Pacific Coast Electrical Bureau, and "National Electrical Code, 1962 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, 1962 Edition" and the "National Electrical Code, 1962 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. 9-3.109. 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, 1962 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 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:

(aa) Dwellings, private garages, small sheds.

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

(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.

(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 disconnent, 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 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 race-way 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 weather-head, 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) 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.

(7) 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.

(8) 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.

SECTION 2. REPEALS. Section 9-3.113 of Article 1 of Chapter 3 of Title IX of the Modesto Municipal Code is hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 4. SAVINGS. The provisions of this ordinance shall not affect any proceedings, 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 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee ~~Express~~, 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 July, 1966, 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, Patton, Shastid, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Smith

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

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

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Ord. No. 803-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 July, 1966, Councilman Shastid moved its final 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, Patton, Shastid, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Smith

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: August 24, 1966

AN ORDINANCE AMENDING SECTION 9-7.101 OF ARTICLE 1 OF CHAPTER 7 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTIONS 9-7.114.1 AND 9-7.122.1 THERETO, RELATING TO THE UNIFORM HEATING AND COMFORT COOLING CODE.

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

SECTION 1. AMENDMENT OF CODE. Section 9-7.101 of Article 1 of Chapter 7 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-7.101. ADOPTION OF UNIFORM HEATING AND COMFORT COOLING 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 Heating & Comfort Cooling Code, 1964 Edition," adopted by the Western Plumbing Officials Association, which said Code provides for the protection of the public health and safety by prescribing minimum standards for the use, design and installation of heating and comfort cooling equipment; requiring a permit and inspection for the installation, alteration and replacement of said equipment; providing for the administration and enforcement of such requirements and prescribing penalties for violations thereof as hereinafter amended, deleted and added to, be and the same is hereby adopted by reference as the Uniform Heating and Comfort Cooling Code of the City of Modesto.

SECTION 2. AMENDMENT OF CODE. Sections 9-7.114.1 and 9-7.122.1 are hereby added to Article 1 of Chapter 7 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-7.114.1. ACCESS. That subsections (b), (e) and (f) of Section 704 of said Heating and Comfort Cooling Code be amended to read as follows:

(b) Every attic or roof installation shall be made accessible by a ladder permanently fastened to the building as provided herein. In Group I occupancies, where access to the attic installation is less than twelve (12') feet from the floor to the opening, no ladder shall be required. Where access to a roof installation is from the exterior of the building, no ladder is required where the distance between the edge of the roof and the ground level is less than ten (10') feet. Exterior ladders, where required, shall extend upward from a point ten (10') feet above the ground level. Such ladder shall be not more than eighteen (18') feet in height between landings and not less than sixteen (16") inches in width, and shall have rungs spaced not more than fourteen (14") inches center to center and not less than six (6") inches from face of wall.

(e) By cleated walkway twenty-four (24") inches wide where pitch of roof is in excess of four (4) in twelve (12).

(f) An unobstructed working space not less than thirty (30") inches in depth and five (5') feet in height for upright furnaces and thirty (30") inches in height for horizontal furnaces shall be provided along each side of every furnace in which a firebox access opening is located. A door opening into such space shall not be considered as an obstruction.

An unobstructed space not less than thirty (30") inches in depth in front of the gas manifold and electrical panel shall be provided adjacent to the appliance; that said space shall be level where the pitch of roof at said location is in excess of four (4) in twelve (12).

SEC. 9-7.122.1. INSTALLATION REQUIREMENTS FOR VENTS. That sub-subsection 1 of subsection (a) of Section 1005 of said Heating and Comfort Cooling Code be amended to read as follows:

1. Each vent shall extend above the roof surface and through its flashing and shall terminate in an approved cap with venting capacity not less than that of the vent. The outlet opening of any such vent shall be not less than twelve (12") inches from any portion of the building, nor less than four (4') feet from any of that portion of the building or structure which extends at an angle of more than forty-five (45°) degrees upward from the horizontal. No such vent outlet shall terminate less than four (4') feet from or one (1') foot above any door, window or gravity air intake, nor closer than five (5') feet to or three (3') feet above any forced or mechanical air intake.

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. SAVINGS. The provisions of this ordinance shall not affect any proceedings, 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 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 ~~1966~~^{See}, 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 July, 1966, 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, Patton, Shastid, VanderWall, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Mitchell, Smith

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

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

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

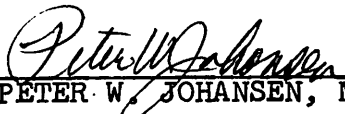
Ord. No. 804-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 July, 1966, Councilman

Shastid moved its final 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, Patton, Shastid, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Smith

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 24, 1966

AN ORDINANCE ADDING SECTION 9-8.08.1 TO CHAPTER 8 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO THE UNSAFE STRUCTURE CODE.

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

SECTION 1. AMENDMENT OF CODE. Section 9-8.08.1 is hereby added to Chapter 8 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-8.08.1. RECORDATION OF CERTIFICATE OF EXISTENCE OF UNSAFE STRUCTURE AND CERTIFICATE OF COMPLIANCE. If the Chief Building Official finds that any building or structure, or portion thereof, is unsafe, dangerous or a hazard, as provided in Section 9-8.06 of this chapter, he shall cause to be recorded with the County Recorder of Stanislaus County a Certificate of Existence of an Unsafe Structure, which shall become a cloud over the title of the property upon which the unsafe, dangerous or hazardous building or structure exists. At such time as the unsafe, dangerous or hazardous conditions have been eliminated, either by repair or demolition, the cloud over the title of the property involved, occasioned by the recordation of the Certificate of Existence of an Unsafe Structure, shall be cleared by the Chief Building Official causing to be recorded with the County Recorder of Stanislaus County a Certificate of Compliance.

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~~ ^{Bee}, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of July, 1966, 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, Patton, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

ATTEST:
By REXE E. GAILFUS, City Clerk

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

(SEAL)
APPROVED AS TO FORM BY ELWYN W. JOHNSON, City Attorney

Ord. No. 805-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 July, 1965, Councilman

Shastid moved its final 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, Patton, Shastid, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Smith

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 24, 1966

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 779-C.S., RELATING TO PLANNED DEVELOPMENT ZONE, P-D(24). (NORTHGATE ENTERPRISES)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 779-C.S.

Section 2 of Ordinance No. 779-C.S. is hereby amended to read as follows:

SECTION 2. USES. The following uses shall be permitted in said P-D(24) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code; said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit: A maximum of one hundred eighty-eight (188) multiple-family dwelling units with a minimum of one and one-half (1½) off-street parking spaces per unit as shown on the modified development plan titled, "Planned Development for Northgate Enterprises," dated June 21, 1966, as amended in red on its face and on file in the office of the Planning Director.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of July, 1966, by Councilman Hughes, 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: Hughes, Patton, Shastid, VanderWall,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

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

ATTEST: *Rex E. Galfus*
REX E. GALFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

Ord. No. 806-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 August, 1966, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: September 7, 1966

AN ORDINANCE AMENDING SECTION MAPS 13-3-8, 24-3-8, AND 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO PREZONE CERTAIN PROPERTY LOCATED THEREON. (NORTH 9TH STREET)

WHEREAS, by Resolution No. 66-60, adopted on May 17, 1966, the Planning Commission initiated proceedings to prezone to Two-Family Zone, R-2, Multiple-Family Zone, R-3, and Highway Frontage Zone, H-1, certain described property, and

WHEREAS, after public hearing held on June 21, 1966, it was found and determined by the Planning Commission that prezoning of the hereinafter described property is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 66-68, adopted on June 21, 1966, the Planning Commission recommended to the Council that Sections 13-3-8, 24-3-8, and 19-3-9 of the Zoning Map be amended to prezone the hereinafter described property to Two-Family Zone, R-2, Multiple-Family Zone, R-3, and Highway Frontage Zone, H-1,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommended prezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Sections 13-3-8, 24-3-8, and 19-3-9 of the Zoning Map are hereby amended to prezone the following described property to Two-Family Zone, R-2, Multiple-Family Zone, R-3, and Highway Frontage Zone, H-1:

Two-Family Zone, R-2:

Commencing at the Northwest corner of Section 19, Township 3 South, Range 9 East, M.D.B. & M.; thence South 89° 21' 30" East 908.82 feet to the point of beginning; thence South 0° 33' 30" East 318.48 feet;

thence South 89° 21' 30" East 151.00 feet; thence North 0° 33' 30" West 318.48 feet; thence North 89° 21' 30" West 151.00 feet to the point of beginning.

Multiple-Family Zone, R-3:

Beginning at the Northwest corner of Campus Edge No. 1 Subdivision recorded on May 21, 1959, at Volume 19, Page 19 of Stanislaus County Records; thence North 0° 05' West 200.00 feet to the North line of Clayton Avenue; thence South 89° 15' East along the North line of Clayton Avenue 330.00 feet; thence South 0° 05' East 200.00 feet to the North line of said Campus Edge No. 1 Subdivision; thence North 89° 15' West along said North line of Campus Edge No. 1 Subdivision 330.00 feet to the point of beginning.

Highway Frontage Zone, H-1:

Beginning at the intersection of the center line of Clayton Avenue extended Westerly and the Southwesterly line of North 9th Street; thence Northwesterly along the Southwesterly line of North 9th Street to its intersection with the North line of Shoemake Avenue; thence Easterly along the Easterly extension of the North line of Shoemake Avenue to its intersection with the Northeasterly line of Dale Road; thence Southeasterly along the Northeasterly line of Dale Road to its intersection with the Northerly line of Modesto Irrigation District Lateral No. 3; thence Northeasterly along the Northerly line of Modesto Irrigation District Lateral No. 3 to its intersection with the Westerly line of Prescott Road; thence Southerly along the Westerly line of Prescott Road and its Southerly extension to its intersection with the Westerly extension of the center line of Orangeburg Avenue; thence Southeasterly along the center line of Orangeburg Avenue and its Westerly extension to its intersection with the center line of Evergreen Avenue; thence Northeasterly along the center line of Evergreen Avenue to its intersection with the Northerly extension of the Easterly line of property conveyed to Edward A. Hancock, et ux on January 28, 1966, by deed recorded at Volume 2083, Page 639 of Stanislaus County Records, said point being approximately 482 feet East of the Northwest corner of Section 19, Township 3 South, Range 9 East, M.D.B. & M.; thence Southerly along the Easterly line of said property conveyed to Hancock approximately 512 feet to the Southeast corner of said Hancock property; thence Easterly along the Southerly line of property conveyed to Ray C. Beldon on May 8, 1952, by deed recorded at Volume 1086, Page 294 of Stanislaus County Records 427.20 feet to the Southeast corner of said property; thence Southerly along the Easterly line of property conveyed to P. E. Johnson on November 28, 1934, by deed recorded at Volume 550, Page 182 Stanislaus County Records 521.59 feet to the Southeast corner of said Johnson property; thence Westerly along the Southerly line of said Johnson property to its intersection with the Northeasterly line of U.S. 99 Freeway; thence along the Northeasterly line of U.S. 99 Freeway the following bearings and distances: South 43° 21' East 421.69 feet; South 48° 01' 45" East 236.12 feet; thence South

0° 41' East 329.99 feet to the Southwesterly line of U.S. 99 Freeway; thence Southeasterly along the Southwesterly line of U.S. 99 Freeway to its intersection with the Easterly extension of the center line of Clayton Avenue; thence Westerly along the center line of Clayton Avenue and its Easterly and Westerly extensions to its intersection with the Southwesterly line of North 9th Street, being the point of beginning.

SECTION 3. ZONING MAP. Sections 13-3-8, 24-3-8, and 19-3-9 of the Zoning Map of the City of Modesto are amended to appear as set forth on the maps attached hereto, which are 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) days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of July, 1966, by Councilman Shastid, 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, Patton, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

APPROVED: Peter W. Johansen

PETER W. JOHANSEN, Mayor

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

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

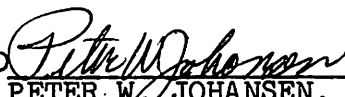
BY James C. Fry
Planning Department

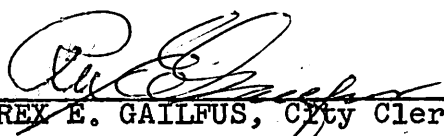
Ord. No. 807-C. S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 August, 1966, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 14, 1966

ORDINANCE NO. 808 -C.S.

AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PACIFIC INVESTMENT COMPANY)

WHEREAS, by Ordinance No. 748-C.S. adopted on September 13, 1965, the Council amended Sections 7-3-9 and 8-3-9 of the Zoning Map to reclassify certain described property to Planned Development Zone, P-D(21), and determined the uses to be permitted on said property, and

WHEREAS, by Resolution No. 65-502, the Council approved a development plan and development schedule for said Planned Development Zone, P-D(21), and

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Pacific Investment Company on June 14, 1966, to reclassify from One-Family Zone, R-1, and Planned Development Zone, P-D(21), to Planned Development Zone, P-D(21), and One-Family Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on July 19, 1966, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. These adjustments to the zone boundary line of P-D(21) are necessary to accommodate the proposed design of the adjacent single-family subdivision which is not a part of the P-D Zone; and

2. These are minor changes which do not affect the nature of, nor change in principle, what was approved as P-D(21), and

WHEREAS, by Resolution No. 66-76, adopted on July 19, 1966, the Planning Commission recommended to the Council that the application of Pacific Investment Company to amend Section 7-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, and Planned Development Zone, P-D(21), to Planned Development Zone, P-D(21), and One-Family

Zone, R-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 7-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, and Planned Development Zone, P-D(21), to Planned Development Zone, P-D(21), and One-Family Zone, R-1:

From R-1 to P-D(21)

Commencing at the East quarter corner of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 89° 08' West 1310.25 feet; thence South 1° 02' 40" East 305.47 feet; thence South 89° 08' East 290.00 feet; thence North 54° 06' East 37.87 feet to the point of beginning; thence North 54° 06' East 95.68 feet; thence South 89° 08' East 105.00 feet; thence South 5° 10' East 37.86 feet; thence South 84° 50' West 186.66 feet to the point of beginning.

From P-D(21) to R-1

Commencing at the East quarter corner of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 89° 08' West 1310.25 feet; thence South 1° 02' 40" East 305.47 feet; thence South 89° 08' East 105.84 feet to the point of beginning; thence South 89° 08' East 184.16 feet; thence North 54° 06' East 37.87 feet; thence South 84° 50' West 215.69 feet to the point of beginning.

Commencing at the East quarter corner of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence South 0° 54' East 1317.21 feet; thence North 89° 11' 45" West 265.00 feet; thence North 0° 54' West 400.00 feet to the point of beginning; thence North 89° 11' 45" West 26.00 feet; thence North 0° 54' West 632.06 feet; thence South 89° 08' East 26.00 feet; thence South 0° 54' East 632.03 feet to the point of beginning.

SECTION 3. PROVISIONS REMAINING IN EFFECT. No change in uses as provided by Ordinance No. 748-C.S. and no change in the development plan and development schedule approved by Resolution No. 65-502 shall be effected by this ordinance.

SECTION 4. ZONING MAP. Section 7-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1966, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

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

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Russell C. Jay
Planning Department

Ordinance 808 C.S.
Exhibit A – Map

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

Ord. No. 808-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 September, 1966, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman ~~SHASTID~~ VanderWall, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: October 6, 1966

ORDINANCE NO. 809-C. S.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1966-67, AND REPEALING ORDINANCE NO. 742-C. S.

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

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

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1966, and ending June 30, 1967, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

(a) Tax Code Areas No. 2-1; 2-2; 2-6; 2-7; 2-8; 2-9; 2-11; 2-12; 2-16; 2-17; and 2-18;

FOR THE GENERAL FUND	\$1.46
FOR THE BOND REDEMPTION AND INTEREST FUND	
(1) Municipal Improvement Bonds of 1947	\$.10
For the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year;	
FOR THE PARK FUND	\$.05
FOR THE LIBRARY FUND	<u>\$.09</u>
THE AGGREGATE OF SAID SUMS, TO WIT	\$1.70

(b) Tax Code Areas No. 2-3; 2-4; and 2-5

FOR THE GENERAL FUND	\$1.46
FOR THE PARK FUND	\$.05
FOR THE LIBRARY FUND	<u>\$.09</u>
THE AGGREGATE OF SAID SUMS, TO WIT	\$1.60

SECTION 3. REPEALS. Ordinance No. 742-C.S. adopted by the Council of the City of Modesto on the 23rd day of August, 1965 is hereby repealed.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.


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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1966, by Councilmen Patton, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

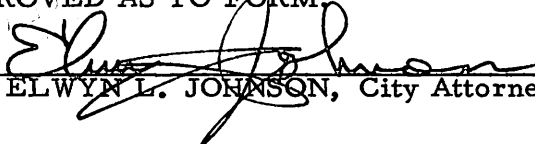
ABSENT: Councilmen: Mitchell

APPROVED: 
PETER W. JOHANSEN, Mayor

ATTEST: 
City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

ORDINANCE NO. 810 -C.S.

AN ORDINANCE AMENDING SECTION MAP 22-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(CORNER OF BRIGHTON AVENUE AND KRUGER DRIVE)

WHEREAS, by Resolution No. 66-67, adopted on June 8, 1966, the Planning Commission initiated proceedings to amend Section 22-3-9 of the Zoning Map to reclassify the City-owned property at the northerly corner of Brighton Avenue and Kruger Drive from One-Family Zone, R-1, to Multiple-Family Zone, R-3, and

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by James E. Price on June 14, 1966, to reclassify certain property owned by him at the above location from One-Family Zone, R-1, to Two-Family Zone, R-2, and Multiple-Family Zone, R-3, and

WHEREAS, after public hearing held on July 19, 1966, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 66-77, adopted on July 19, 1966, the Planning Commission recommended to the Council that the application of James E. Price and the Planning Commission initiation to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Two-Family Zone, R-2, and Multiple-Family Zone, R-3, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 22-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2, and Multiple-Family Zone, R-3:

From R-1 to R-2

Commencing at the intersection of the west line of Section 22 and the North line of Lot 13 of the Broughton Colony; thence North $89^{\circ} 53' 05''$ East along the North line of said Lot 13 a distance of 887.23 feet to the true point of beginning of this description; thence continuing North $89^{\circ} 53' 05''$ East along said North line of Lot 13 a distance of 369.28 feet; thence South $0^{\circ} 06' 24''$ East a distance of 60.00 feet; thence at right angles South $89^{\circ} 53' 36''$ West a distance of 60.00 feet; thence South $0^{\circ} 06' 24''$ East a distance of 139.80 feet; thence South $89^{\circ} 53' 36''$ West a distance of 172.08 feet; thence in a southwesterly direction along a curve concave to the southeast, through a central angle of $19^{\circ} 17' 20''$ having a radius of 250.00 feet, a curve distance of 84.16 feet to a point of cusp; thence in a northwesterly direction along a curve concave to the northeast, through a central angle of $38^{\circ} 03' 55''$, having a radius of 250.00 feet, a curve distance of 166.09 feet; thence North $0^{\circ} 29' 40''$ West a distance of 60.00 feet to the point of beginning.

From R-1 to R-3

Commencing at the intersection of the west line of Section 22 and the North line of Lot 13 of the Broughton Colony; thence North $89^{\circ} 53' 05''$ East along the North line of said Lot 13 a distance of 18.16 feet to the true point of beginning of this description; thence continuing North $89^{\circ} 53' 05''$ East along said North line of Lot 13 a distance of 869.07 feet; thence South $0^{\circ} 29' 40''$ East a distance of 60.00 feet; thence in a southeasterly direction along a curve concave to the northeast, through a central angle of $38^{\circ} 03' 55''$, having a radius of 250.00 feet, a curve distance of 166.09 feet to a point of cusp; thence in a southwesterly direction along a curve concave to the southeast, through a central angle of $52^{\circ} 03' 53''$, having a radius of 250.00 feet, a curve distance of 227.18 feet; thence South $18^{\circ} 32' 23''$ West a distance of 167.42 feet; thence North $71^{\circ} 27' 37''$ West a distance of 345.00 feet; thence in a northwesterly direction along a curve concave to the northeast, through a central angle of $56^{\circ} 49' 36''$, having a radius of 600.00 feet, a curve distance of 595.09 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 22-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of August, 1966, 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, Patton, Shastid, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

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

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

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY Bill C. Fey
Planning Department

**Ordinance 810 C.S.
Exhibit A – Map**

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

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

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

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE, from Sycamore to McHenry	25 miles per hour
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
BRIGGSMORE, from Tully Road to the westerly city limits	35 miles per hour
CARVER ROAD, from Evergreen Street north to the northerly city limits	25 miles per hour
CENTER STREET, entire length in city	25 miles per hour
COFFEE ROAD, Norwegian to Floyd	30 miles per hour
COLLEGE AVENUE, between Durant and Rumble	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EL VISTA, within the city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
ENCINA, Covena to Santa Ana	25 miles per hour

ENSLER, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LEGION PARK ROAD, between Santa Cruz and Conejo	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in city	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in city	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
OLD OAKDALE ROAD, Scenic Drive to north city limits	30 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
ORANGEBURG AVENUE, Martin to Prescott	<u>25 miles per hour</u>
PRESCOTT ROAD, Briggsmore to Rumble	<u>25 miles per hour</u>

ROBLE AVENUE, Santa Ana to Rosina	25 miles per hour
ROSE AVENUE, Crestview to north city limits	35 miles per hour
RUMBLE ROAD, between Tully and Tidewater Southern tracks	25 miles per hour
RUMBLE ROAD, between Highgate and the east city limits	25 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
TULLY ROAD, between Rumble and the northerly city limits	35 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WOODROW AVENUE, within the city limits	25 miles per hour
WRIGHT, from Sycamore to McHenry	25 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to south city limits	40 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to D Street	30 miles per hour
9TH STREET, from P Street to Tully Road	35 miles per hour
9TH STREET, from Tully Road to north city limits	50 miles per hour

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of September, 1966, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

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

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

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

(Seal)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney


Ord. No. 811-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 12th day of September, 1966, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 12, 1966

AN ORDINANCE AMENDING SECTION 11-1.08 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 11-1.08 of Chapter 1 of Title XI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 11-1.08. SPECIAL SITUATIONS. Anything to the contrary herein stated notwithstanding, the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts, private schools, and to any person outside 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 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of September, 1966, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilmen Hughes, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

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

ATTEST:
BY Reg E. Galfus
REG E. GALFUS, City Clerk
(SEAL)

APPROVED AS TO FORM:

BY Elwyn W. Johnson
ELWYN W. JOHNSON, City Attorney

AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO PREZONE CERTAIN PROPERTY LOCATED THEREON. (EAST OF NORTH 9TH STREET, WEST OF CARVER ROAD AND EXTENDING NORTH TO CLAYTON AVENUE)

WHEREAS, by Resolution No. 66-69, adopted on June 21, 1966, the Planning Commission initiated proceedings to prezone to Light Industrial Zone, M-1, certain described property, and

WHEREAS, after public hearing held on July 19, 1966, it was found and determined by the Planning Commission that pre-zoning of a portion of said property to Light Industrial Zone, M-1, and a portion to Highway Frontage Zone, H-1, is required by public necessity, convenience and general welfare, for the reasons set forth in Planning Commission Resolution No. 66-75, and

WHEREAS, by said Resolution No. 66-75, adopted on July 19, 1966, the Planning Commission recommended to the Council that Section 19-3-9 of the Zoning Map be amended to prezone the hereinafter described property to Light Industrial Zone, M-1, and Highway Frontage Zone, H-1,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommended pre-zoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 19-3-9 of the Zoning Map is hereby amended to prezone the following described property to Light Industrial Zone, M-1, and Highway Frontage Zone, H-1:

Light Industrial Zone, M-1:

Beginning at the point of intersection of the center line of Carver Road and the Easterly extension of the Southerly line of Lot 5, of the McDonald Tract recorded on April 30, 1903, in Volume 1, Page 49 of Stanislaus County Records; thence, Northerly along the center line of Carver Road to its intersection with the Easterly extension of the south line of Campus Edge No. 2 Subdivision recorded on April 11, 1961, in Volume 19, Page 64 of Stanislaus County Records; thence Westerly along the South line of said Campus Edge No. 2 Subdivision and its Easterly extension to the Southwest corner of said subdivision; thence Northerly along the west line of said Campus Edge No. 2 Subdivision and the West line of Campus Edge No. 1 Subdivision recorded on May 21, 1959, in Volume 19, Page 19 of Stanislaus County Records and the Northerly extension of said line to the Northerly line of Clayton Avenue; thence, Westerly along the Northerly line of Clayton Avenue to its intersection with the Easterly line of U. S. 99 Freeway; thence, South $34^{\circ} 38' 54''$ West 329.28 feet to the Westerly line of U. S. 99 Freeway; thence, Southerly along the Westerly line of U. S. 99 Freeway to its intersection with the Northerly line of North 9th Street; thence, Southwesterly at a right angle to said North line of North 9th Street to the Southerly line of North 9th Street; thence, Southeasterly along said Southerly line of North 9th Street to the point of intersection with the Westerly extension of the Southerly line of Lot 5, of the McDonald Tract; thence, Easterly along said Southerly line of Lot 5 and its Easterly extension to its intersection with the center line of Carver Road, being the point of beginning.

Highway Frontage Zone, H-1:

Beginning at the point of intersection of the Southerly line of North 9th Street and the Southerly extension of the center line of Carver Road, thence, Northerly along the center line of Carver Road to its intersection with the Easterly extension of the South line of Lot 5 of the McDonald Tract recorded on April 30, 1903, in Volume 1, Page 49 of Stanislaus County Records; thence, Westerly along the Southerly line of said Lot 5 and the Easterly extension thereof, to its intersection with the Southerly line of North 9th Street; thence, Southeasterly along the Southerly line of North 9th Street to its intersection with the Southerly extension of the center line of Carver Road, being the point of beginning.

SECTION 3. ZONING MAP. Section 19-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of October, 1966, by Councilman Smith, 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, Shastid, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST:

Rex E. Gailfus
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY Samuel L. Fay
Planning Department

Ord. No. 813 - C. S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 24th day of October, 1966, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Smith, 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: November 23, 1966

**Ordinance 813 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION 5-5.25 OF CHAPTER 5 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO RATES FOR COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

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

SECTION 1. AMENDMENT OF CODE. Section 5-5.25 of Chapter 5 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-5.25. RATES TO BE CHARGED FOR COLLECTION OF GARBAGE. The following rates shall be charged by licensed collectors of garbage to the residents of the City of Modesto for the collection of garbage:

- (a) 1 collection per week (1 container): \$1.10 per month
- (b) 1 collection per week (2 containers): \$1.65 per month
- (c) 2 collections per week (1 container): \$2.20 per month
- (d) 2 collections per week (2 containers): \$3.30 per month

These rates shall apply for service when containers are placed in such points on the premises as to be easily accessible to the collector and not more than one hundred (100') feet from the curb when streets are used for collection, or more than thirty (30') feet from the real property line when alleys are used for collection. When more than the number of containers is used as indicated in the above rates, and the containers are collected at the same time, fifty-five (55¢) cents per month per container shall be charged for each additional container used. The additional charge shall be multiplied by the number of pickups required per week. When containers are located at greater distances there shall be added to the regular rate an additional charge of twenty-five (25¢) cents per month, per container, for each additional fifty (50') feet or portion thereof traveled. The rate shall be multiplied by the number of pickups per week.

Garbage collectors shall be authorized to collect garbage fees on a bi-monthly basis which shall include the service for the month immediately preceding and the month immediately following the first of the month in which they are billed.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective from and after thirty (30) days after its final passage and adoption.

SECTION 3. OPERATIVE DATE. This ordinance shall become operative on and after December 1, 1966.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of November, 1966, by Councilman Smith, 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, Mitchell, Patton, Smith, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

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

ATTEST:

By

REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By


ELWYN L. JOHNSON, City Attorney


Ord. No. 814-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 14th day of November, 1966, Councilman Hughes moved its final 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, Smith, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 14, 1966

AN ORDINANCE AMENDING SECTION 7-3.113 OF ARTICLE 1 OF CHAPTER 3 OF TITLE VII OF THE MODESTO MUNICIPAL CODE AND ADDING SECTIONS 7-3.106.1, 7-3.115, 7-3.116 AND 7-3.117 THERETO, RELATING TO GENERAL REGULATIONS OF THE MODESTO CITY-COUNTY AIRPORT.

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

SECTION 1. AMENDMENT OF CODE. Section 7-3.113 of Article 1 of Chapter 3 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-3.113. FLIGHT INSTRUCTORS. No person shall hold himself out as a flight instructor or give flight instruction unless he has a valid and subsisting flight instructor rating, is registered with the airport manager and holds a permit as a fixed-base operator at the Modesto City-County Airport or is employed by a fixed-base operator at the Modesto City-County Airport.

SECTION 2. AMENDMENT OF CODE. Sections 7-3.106.1, 7-3.115, 7-3.116 and 7-3.117 are hereby added to Article 1 of Chapter 3 of Title VII of the Modesto Municipal Code to read as follows:

SEC. 7-3.106.1 PRIVATE AIRCRAFT - REGULATIONS. Every person or persons owning or controlling any private aircraft based at the Modesto City-County Airport shall be subject to the following regulations:

(a) Private aircraft will be operated non-commercially.

(b) Private aircraft may be used by persons other than the owner, or owners, provided that in no case may it be rented, leased, or used for any commercial purpose.

(c) Private aircraft may be used in connection with the owner's own business.

(d) Company- or corporation-owned aircraft, operated for the free transportation of their, and other, personnel or products, are classified as private aircraft and subject to the same restrictions as set forth in this section.

SEC. 7-3.115. FLYING CLUBS - DEFINITION. A flying club is any organization, partnership, association, club or similar group, whether incorporated or not which has as one or more of its purposes, functions or activities the fostering of flying for pleasure, developing skills in aeronautics, including pilotage and navigation, developing an awareness and appreciation of aviation requirements and techniques and in general promoting the field of aviation and aeronautics.

SEC. 7-3.116. FLYING CLUBS - REGULATIONS. Before any flying club, as defined by Section 7-3.115 hereof, can operate on the Modesto City-County Airport, it must obtain a flying club permit to do so. Flying club permits shall be issued by the Airport Manager and shall be subject to such fees as may be established from time to time by resolution of the City Council.

All flying clubs operating on the Modesto City-County Airport must comply with the following regulations:

(a) Flying clubs must have an established base of operation on the airport.

(b) Flying clubs must submit and keep current a roster of the membership, roster of officers and directors, rules, regulations and/or bylaws governing the organization.

(c) No flying club aircraft shall be used for hire, charter, rental or other commercial purpose, operation or use.

(d) All aircraft owned, leased or used by the flying club must be registered with the Airport Manager.

(e) All members must comply with all Federal Aviation Agency, State and local laws and regulations.

SEC. 7-3.117. PARTNERSHIPS. When an aircraft is owned or controlled by four (4) or more persons, whether as a partnership, corporation or otherwise, a current list of all such owners or persons in control shall be furnished to the Airport Manager. The Airport Manager shall have the right to investigate and determine, subject to appeal to the City Council, whether the owners of such jointly-owned aircraft are subject to the regulations applicable to flying clubs or fixed-base operators, as defined and regulated herein.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of November, 1966, by Councilman Hughes, 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: Hughes, Patton, Smith, VanderWall,
Mayor Johansen
NOES: Councilmen: Mitchell
ABSENT: Councilmen: Shastid

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

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

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

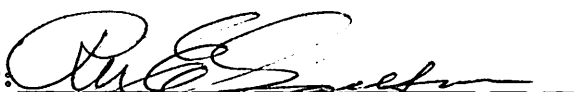
Ord. No. 815-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 14th day of November, 1966, Councilman Hughes moved its final 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, Smith, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 14, 1966

AN ORDINANCE AMENDING SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PARADISE PLAZA SHOPPING CENTER)

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by Paradise Plaza Shopping Center on September 14, 1966, to reclassify from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, the hereinafter described property, and

WHEREAS, after public hearing held on October 25, 1966, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 66-106, adopted on October 25, 1966, the Planning Commission recommended to the Council that the application of Paradise Plaza Shopping Center to amend Section 31-3-9 of the Zoning Map to reclassify the hereinafter described property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 31-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2:

Beginning at the point of intersection of the East line of Section 31, also being the center line of Sutter Avenue, and the North line of the Marshall Park Addition to the City of Modesto, as per description filed December 3, 1957, Instrument No. 30118, Stanislaus County Records; thence, Westerly along said Northerly line of the Marshall Park Addition to the Northwesterly corner thereof; thence, Northerly along the Northerly extension of the Westerly line of said Marshall Park Addition to the Southeasterly line of Paradise Road, this point being the Northerly corner of the Navon Addition to the City of Modesto, as per description filed June 29, 1960, Instrument No. 18244, Stanislaus County Records; thence, North $02^{\circ} 33' 14''$ West, 82.74 feet, to the point of intersection of the Northwesterly line of said Paradise Road and the Westerly line of Lot G of the "Resurvey of Birchman's Addition to the City of Modesto" as per map recorded on October 15, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records; thence, along the Westerly line of Lot G, North $0^{\circ} 58'$ West, 666.98 feet to the Northwesterly corner of Lot G, said point being on the Southerly line of a 60-foot public road known as Briggs Avenue; thence, Easterly along the Southerly line of Briggs Avenue and its Easterly extension, North $89^{\circ} 44'$ East, 496.68 feet to a point on the East line of Section 31 also being the center line of a 60-foot public road known as Franklin Street; thence, Southerly along said Section line and the center lines of Franklin Street and Sutter Avenue to the point of beginning.

SECTION 3. ZONING MAP. Section 31-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of November, 1966, by Councilman Hughes, 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, Smith, 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)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY Russell C. Fey
Planning Department

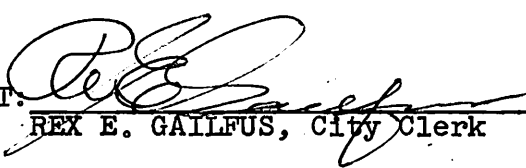
Ord. No. 816-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 12th day of December, 1966, Councilman Patton moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 11, 1967

**Ordinance 816 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION MAP 5-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PESTANA)

WHEREAS, a verified application for an amendment to Section 5-4-9 of the Zoning Map was filed by John Pestana on September 14, 1966, to reclassify from One-Family Zone, R-1, to Two-Family Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on November 1, 1966, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 66-112, adopted on November 1, 1966, the Planning Commission recommended to the Council that the application of John Pestana to amend Section 5-4-9 of the Zoning Map to reclassify the hereinafter described property from One Family Zone, R-1, to Two-Family Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 5-4-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

All that portion of Lots 2, 6, 7, 8, and 10 of the Rouse Colony according to the Official Map thereof as recorded in Volume 5 of Maps at Page 24, Stanislaus County Records, in Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the southwest corner of said Lot 6 of the Rouse Colony; thence East a distance of 20.00 feet to the existing easterly right-of-way line of Colorado Avenue, a 40.00 foot wide public street and the true point of beginning of this description; thence South $57^{\circ} 13' 52''$ East a distance of 89.61 feet; thence North $50^{\circ} 53' 38''$ East a distance of 433.08 feet; thence North $35^{\circ} 13' 16''$ East a distance of 524.73 feet; thence North $52^{\circ} 09' 09''$ East a distance of 569.52 feet; thence North $19^{\circ} 35' 19''$ East a distance of 216.06 feet; thence North $84^{\circ} 27' 07''$ West a distance of 169.12 feet; thence North $14^{\circ} 32' 55''$ East a distance of 121.99 feet; thence North $89^{\circ} 58' 52''$ West a distance of 458.69 feet to the center line of Roselawn Avenue, a 60.00 foot wide public street; thence South $0^{\circ} 01'$ West along said center line of Roselawn Avenue a distance of 231.52 feet; thence continuing along said center line of Roselawn Avenue in a southwesterly direction along a curve concave to the northwest, through a central angle of $35^{\circ} 12' 16''$, having a radius of 485.00 feet, a curve distance of 298.00 feet; thence continuing along said center line of Roselawn Avenue South $35^{\circ} 13' 16''$ West a distance of 556.41 feet; thence in a southwesterly direction along said center line of Roselawn Avenue and a curve concave to the northwest, through a central angle of $15^{\circ} 46' 44''$, having a radius of 485.00 feet, a curve distance of 133.57 feet; thence continuing along said center line of Roselawn Avenue South $51^{\circ} 00'$ West a distance of 69.98 feet; thence in a southwesterly direction along a curve concave to the northwest, through a central angle of $18^{\circ} 41' 37''$, having a radius of 300.00 feet, a curve distance of 97.88 feet to the intersection with the northerly prolongation of the aforementioned easterly right-of-way line of Colorado Avenue; thence South along said northerly prolongation and the aforementioned easterly right-of-way line of Colorado Avenue a distance of 185.80 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 5-4-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of December, 1966, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Smith, Acting Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Mayor Johansen

APPROVED:

Richard Vander Wall
~~PETER W. JOHANSEN, Mayor~~
RICHARD VANDERWALL, Acting Mayor

ATTEST:

REX E. GAILFUS
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

Russell J. Fry
Planning Department

Ord. No. 817-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 December, 1966, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid,
Smith, 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

EFFECTIVE DATE: January 18, 1967

**Ordinance 817 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTIONS 3-2.1601 AND 3-2.1605 OF ARTICLE 16 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTION 3-2.1606 THERETO, RELATING TO OFF-STREET PARKING.

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

SECTION 1. AMENDMENT OF CODE. Sections 3-2.1601 and 3-2.1605 of Article 16 of Chapter 2 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 3-2.1601. ESTABLISHMENT. The City Council may from time to time establish and designate municipal off-street parking lots in the City by resolution of the Council. There shall be four (4) types of lots:

(a) Parking Meter Lots. Parking meter lots are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of this Code.

(b) Attendant lots.

(c) Parking ticket lots.

(d) Free lots.

SEC. 3-2.1605. OBEDIENCE TO SIGNS POSTED ON PARKING ATTENDANT LOTS AND PARKING TICKET LOTS. It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in his name or operated or controlled by him to be parked in any parking space on attendant parking lots or parking ticket lots without paying the rates for the use of said lots as established by resolution and designated by appropriate markings or signs posted on said lots.

SECTION 2. AMENDMENT OF CODE. Section 3-2.1606 is hereby added to Article 16 of Chapter 2 of Title III of the Modesto Municipal Code to read as follows:

SEC. 3-2.1606 OPERATIONAL PROCEDURE FOR MUNICIPAL OFF-STREET PARKING METER LOTS. The provisions and procedure specified in Article 15 of Chapter 2 of Title III of this Code shall govern the operation and use of municipal off-street parking meter parking lots.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of December, 1966, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

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

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

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

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney


Ord. No. 818-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 12th day of December, 1966, Councilman Patton moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 11, 1967

AN ORDINANCE AMENDING THE PARKING METER ZONING MAP OF THE CITY OF MODESTO.

WHEREAS, Section 3-2.1501 of the Modesto Municipal Code provides that 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 thereof,

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

SECTION 1. PARKING METER ZONING MAP. The Parking Meter Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of January, 1967, 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: Davies, Hughes, Mitchell, Patton, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen

PETER W. JOHANSEN, Mayor

ATTEST:

By Pauline P. Stanley
PAULINE P. STANLEY, Acting City Clerk
(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

**Ordinance 819 C.S.
Exhibit A – Map**

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

Ord. No. 819-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of January, 1967, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Mitchell, Patton, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


PAULINE P. STANLEY, Acting City Clerk

EFFECTIVE DATE: February 15, 1967

AN ORDINANCE AMENDING SECTION MAP 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (TISMENAKIS, DAMAS, DAMAS AND BALL)

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

SECTION 1. ZONING CHANGE. Section 17-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from One-Family Zone, R-1 to Planned Development Zone, P-D (28):

All that portion of Lot 7 of the Fresno Tract, according to the official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 14, 1903, in Volume 1 of Maps at Page 76, described as follows:

Commencing at the southeast corner of said Lot 7 and running thence North 0° 48' West, 8.35 chains to a point that is South 0° 48' East, 537.18 feet from the northeast corner of said Lot 7; thence North 88° 48' West, 326 feet to the true point of beginning of the land herein described; thence continuing North 88° 48' West, 334 feet, more or less, to the west line of said Lot 7; thence North 0° 48' West, 516.94 feet and along the west line of said Lot 7 to the northwest corner thereof and the center line of Modesto Irrigation District Lateral No. 3; thence North 89° 27' East, along the north line of said Lot and center line of Modesto Irrigation District Lateral No. 3, 333.84 feet; thence South 0° 48' East, 527.04 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D (28) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code; said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit: A four-story housing facility for the elderly, as defined by applicable Federal Housing Administration standards, containing one hundred five (105) living units and parking for ninety-five (95) automobiles with landscaped open space for recreational purposes.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 February, 1967, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Mitchell, Patton, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes

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

ATTEST: *Pauline P. Stanley*
PAULINE P. STANLEY
Acting City Clerk

EFFECTIVE DATE: March 22, 1967

**Ordinance 820 C.S.
Exhibit A – Map**

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

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

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

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE, from Sycamore to McHenry	25 miles per hour
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
BRIGGSMORE, from Tully Road to the westerly city limits	35 miles per hour
<u>CARPENTER ROAD, between California and Maze</u>	<u>40 miles per hour</u>
CARVER ROAD, from Evergreen Street north to the northerly city limits	25 miles per hour
CENTER STREET, entire length in city	25 miles per hour
COFFEE ROAD, Norwegian to Floyd	30 miles per hour
COLLEGE AVENUE, between Durant and Rumble	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EL VISTA, within the city limits	35 miles per hour

EMERALD, from Maze Road to the southerly city limits	25 miles per hour
ENCINA, Covena to Santa Ana	25 miles per hour
ENSLLEN, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LEGION PARK ROAD, between Santa Cruz and Conejo	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in city	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in city	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
OLD OAKDALE ROAD, Scenic Drive to north city limits	30 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
ORANGEBURG AVENUE, Martin to Prescott	25 miles per hour

PRESCOTT ROAD, Briggsmore to Rumble	25 miles per hour
ROBLE AVENUE, Santa Ana to Rosina	25 miles per hour
ROSE AVENUE, Crestview to north city limits	35 miles per hour
RUMBLE ROAD, between Tully and Tidewater Southern tracks	25 miles per hour
RUMBLE ROAD, between Highgate and the east city limits	25 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
TULLY ROAD, between Rumble and the northerly city limits	35 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WOODROW AVENUE, within the city limits	25 miles per hour
WRIGHT, from Sycamore to McHenry	25 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to south city limits	40 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to D Street	30 miles per hour
9TH STREET, from P Street to Tully Road	35 miles per hour
9TH STREET, from Tully Road to north city limits	50 miles per hour

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1967, 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: Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Davies

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

ATTEST:

By Pauline P. Stanley
Acting City Clerk
PAULINE P. STANLEY

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of February, 1967, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

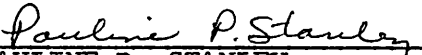
NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


PAULINE P. STANLEY
Acting City Clerk

EFFECTIVE DATE: March 15, 1967

ORDINANCE NO. 822-C.S.

AN ORDINANCE AMENDING SECTION 3-2.814 OF ARTICLE 8 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO REGULATION OF UNATTENDED MOTOR VEHICLES.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.814 of Article 8 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.814. LEAVING UNATTENDED VEHICLE. (a) Removing Ignition Key. No person driving or in charge of a motor vehicle shall permit it to stand unattended in any public place, or on any parking lot without first stopping the engine, locking the ignition and removing the ignition key from the vehicle.

(b) Action by Police Officer. Whenever any police officer shall find a motor vehicle standing unattended with the ignition key in the vehicle, in violation of this section, such police officer is authorized to remove such key from such vehicle and to deliver such key to the Police-Communications Building, 601 - 11th Street, Modesto, California.

(c) Presumption. The registered owner of a vehicle found in violation of this section shall be held prima facie responsible for any such violation.

(d) Violations. Any violation of the provisions of this section shall not mitigate the offense of stealing such motor vehicle nor shall such violation be used to effect a recovery in any civil action for theft of such motor vehicle, or the insurance thereon, or have any other bearing in any civil action.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1967, by Councilman Davies, 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: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen.
NOES: Councilmen: None.
ABSENT: Councilmen: None.

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

ATTEST:

By *Pauline P. Stanley*
Pauline P. Stanley, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 February, 1967, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Smith , was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Mitchell, Patton, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes

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

ATTEST: *Pauline P. Stanley*
PAULINE P. STANLEY
Acting City Clerk

EFFECTIVE DATE: March 22, 1967

AN ORDINANCE AMENDING SECTION 5-1.313 OF ARTICLE 3 OF CHAPTER 1 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO FOOD HANDLER'S CARDS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-1.313 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.313. FOOD HANDLER'S CARD REQUIRED. It shall be unlawful for any person to engage in the handling, preparation or storage of food or drink, or the sanitizing of utensils in any eating and drinking establishment for a period of time longer than thirty (30) working days, or for any eating and drinking establishment operator to employ or permit any person to engage in such activities therein for longer than this period of time unless such person holds a food handler's card issued by the Health Officer. All food handler's cards shall expire one year from the date of issuance.

As a prerequisite to the issuance of a food handler's card, the Health Officer may require a course of instruction be taken by the applicant, which course shall be provided by the Health Department of the City. The Health Officer may also require any other physical examinations or tests which may be necessary for the protection of public health.

The Health Officer shall not give any treatment required for any condition revealed by such examination or such test and shall not be responsible in any manner for the cost of any such treatments.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1967, by Councilman Mitchell, 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: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By Pauline P. Stanley
Pauline P. Stanley, Acting City Clerk

(SEAL)

APPROVED AS TO FORM

ELWYN L. JOHNSON, City Attorney

By Robert C. Bienvenu
ROBERT C. BIENVENU, Assistant

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 March, 1967, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid,
Smith, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: *Pauline P. Stanley*
PAULINE P. STANLEY
Acting City Clerk

EFFECTIVE DATE: April 5, 1967

AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SWENSON)

WHEREAS, a verified application for an amendment to Section 19-3-9 of the Zoning Map was filed by C. A. Swenson on December 15, 1966, to reclassify from Multiple-Family Zone, R-3, to Commercial-Industrial Zone, C-M, the hereinafter described property, and

WHEREAS, after public hearing held on January 17, 1967, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 67-4, adopted on January 17, 1967, the Planning Commission recommended to the Council that the application of C. A. Swenson to amend Section 19-3-9 of the Zoning Map to reclassify the hereinafter described property from Multiple-Family Zone, R-3, to Commercial-Industrial Zone, C-M, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 19-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Multiple-Family Zone, R-3, to Commercial-Industrial Zone, C-M:

Beginning at the intersection of the northerly right-of-way line of Clayton Avenue and the easterly right-of-way line of Martin Avenue; thence Easterly along the northerly right-of-way line of Clayton Avenue, a distance of 254.14 feet to the southwest corner of land conveyed to G. W. Force, et ux by deed recorded July 31, 1952, Instrument No. 17985; thence, Northerly along the west line of said Force Land 114.61 feet, more or less, to the Northwest corner thereof, being a point on the southerly line of a 20-foot alley, also being a point on the north line of Lot 3 of the McDonald Tract, recorded on April 30, 1903, in Volume 1 of Maps at Page 49; thence, Westerly along the southerly line of said alley and the north line of Lot 3 to its intersection with the easterly right-of-way line of Martin Avenue; thence, Southerly along the easterly right-of-way line of Martin Avenue to the point of beginning.

SECTION 3. ZONING MAP. Section 19-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1967, by Councilman Hughes, 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: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

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

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

APPROVED AS TO FORM:
By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By *E. J. Russell*
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 March, 1967, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: *Pauline P. Stanley*
PAULINE P. STANLEY
Acting City Clerk

EFFECTIVE DATE: April 19, 1967

Ordinance 824 C.S.
Exhibit A – Map

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

AN ORDINANCE AMENDING SECTION 4-6.307 OF ARTICLE 3 OF CHAPTER 6 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO TAXICABS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-6.307 of Article 3 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.307. RATES. No owner or driver of a taxicab shall charge a greater sum for the use of a taxicab than in accordance with the following rates:

(a) Mileage rates:

55¢ for the first four-tenths mile or fraction thereof.

10¢ for each additional two-tenths mile or fraction thereof.

(b) Waiting time:

6-2/3¢ for each minute of waiting time or fraction thereof.

(c) Trunks:

\$1.00 for each trunk;

(d) Hand baggage:

10¢ for each piece of hand baggage in excess of fifty (50 lbs.) pounds; and

(e) Extra passengers:

No charge shall be made for extra passengers. This applies only to those passengers whose point of pick-up and point of destination are the same.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1967,

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

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Smith, Mayor Johansen

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

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

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn E. Johnson*
ELWYN E. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 24th day of April, 1967, Councilman Mitchell, moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Smith,
Mayor Johansen

NOES: Councilmen: Shastid

ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 24, 1967

AN ORDINANCE AMENDING CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SEWAGE COLLECTION AND DISPOSAL.

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

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

CHAPTER 6 - SEWAGE COLLECTION AND DISPOSAL

SEC. 5-6.01. DEFINITIONS. Unless the context requires a different meaning for the purposes of this Chapter, the following terms shall be defined as follows:

(a) "Apartment": A building or portion thereof containing three (3) or more dwelling units.

(b) "Dwelling Group": Two (2) or more buildings of any one (1) lot, containing three (3) or more dwelling units.

(c) "Dwelling Unit": A suite of one (1) or more rooms which is occupied by or intended to be occupied by one (1) family with its own kitchen facilities.

(d) "Duplex": A building containing two (2) dwelling units.

(e) "Lot": A parcel of land consisting of one (1) or more contiguous lots of record in one (1) ownership.

(f) "Industrial Waste": Liquid and/or solids contained within a liquid, other than sanitary sewage, and discharged into the sewage system by an industrial user.

(g) "Sanitary Sewage": Waste discharging into the City sewage system and which contains human or animal excreta.

(h) "Water Quality Control Plant": The plant owned by the City and designed for the treatment and disposal of sewage, including a remote oxidation ponding site.

(i) "Sewage": Industrial waste or sanitary sewage, or both.

(j) "Sewer Service": The services and facilities for the collection, treatment, and disposal of industrial wastes and sanitary sewage.

(k) "Sewage System": The facilities for the collection, treatment, and disposal of industrial wastes and sanitary sewage.

(l) "House Sewer Line": The line connecting a user's property to the sewage system.

(m) "Sewer District": Modesto Municipal Sewer District No. 1 established by the City Council by Resolution No. 66-543, effective August 16, 1966, encompassing the City of Modesto and portions of contiguous unincorporated areas, the legal description and boundaries of which have been recorded in the office of the Recorder of the County of Stanislaus, including areas heretofore or hereafter annexed thereto.

(n) "Trunk Sewer": A pipeline which transports sewage from sewer laterals and subtrunk sewers to the Water Quality Control Plant.

(o) "Sewer Lateral": A pipeline which collects sewage from individual users and transports it to sub-trunk and trunk sewers.

(p) "Subtrunk Sewer": A sewer lateral which has been deepened and/or enlarged to serve areas in addition to those immediately adjacent to the trunk sewer.

(q) "Premises": Any lot, piece or parcel of land, and building or other structure or any part of any building or structure used or useful for human habitation or gathering or carrying on any business, industry, or occupation.

(r) "User": Any person responsible for payment of sewer service charges for premises served by the sewage system as provided in this Chapter.

(s) "Residential User": Any user whose premises are used solely for residential purposes.

(t) "Industrial User": Any user engaged in the business of processing or manufacturing agricultural products, animals, poultry, goods, wares, or other products or materials, who processes or manufactures the same for the purpose of sale, resale, or redelivery in processed or manufactured form.

(u) "Commercial User": Any user not defined as a residential or industrial user.

(v) "Director": The Director of Public Works of the City or such other person as may be designated by the Director of Public Works to perform the services or make the determinations permitted or required in this Chapter to be made by the Director of Public Works of the City.

(w) "Sewer Service Charge": A charge established to pay the cost of operation, maintenance, and debt service of the sewage system.

(x) "Sewer Connection Charge": A charge established to compensate the City for having provided collection and treatment facilities before being able to collect revenue from the benefited properties.

(y) "Subtrunk Sewer Extension Charge": A charge established to equalize the costs of connecting the in-tract facilities and/or oversize facilities of a particular subdivision or area to the trunk sewers so that developments close to the chosen trunk sewer alignments do not receive unfair advantage over those located further away.

(z) "Biochemical Oxygen Demand (B.O.D.)": The quantity of oxygen required by sewage for biochemical oxidation in five (5) days at 20°C in ppm.

SEC. 5-6.02. SEWER SERVICE CHARGES. Each person owning property within the Sewer District shall pay a sewer service charge to the City in accordance with the following rates:

(a) Residential.

(1) In all areas within the City limits as of July 1, 1950, the monthly sewer service charges for dwelling units connected to the sewage system shall be:

Each single family dwelling on a lot. . . .	\$.15
One (1) additional dwelling unit on the same lot. . . . .	.70
Each dwelling unit in a duplex. . . . .	.90
Each dwelling unit in an apartment building or dwelling group. . . . .	.70

(2) In areas annexed to the City after July 1, 1950, and prior to July 1, 1960, the monthly sewer service charges for dwelling units connected to the sewage system shall be:

Each single family dwelling on a lot. . . .	\$.150
One (1) additional dwelling unit on the same lot. . . . .	.90
Each dwelling unit in a duplex.	1.15
Each dwelling unit in an apartment building or dwelling group. . . . .	.90

(3) In areas annexed to the City after July 1, 1960, the monthly sewer service charges for dwelling units connected to the sewage system shall be:

Each single family dwelling on a lot. . . .	\$.195
One (1) additional dwelling unit on the same lot.	1.15
Each dwelling unit in a duplex.	1.50
Each dwelling unit in an apartment building or dwelling group.	1.15

(4) Monthly sewer service charges for dwelling units within the City limits as of July 1, 1967, not connected to the sewage system and for which sewer service is available, shall be:

Each single family dwelling on a lot. . . .	\$.100
One (1) additional dwelling unit on the same lot. . . . .	.60
Each dwelling unit in a duplex. . . . .	.80
Each dwelling unit in an apartment building or dwelling group. . . . .	.60

(5) In those areas which are outside the City and inside the Sewer District as of July 1, 1967, the monthly sewer service charges for dwelling units connected to the sewage system shall be:

Each single family dwelling on a lot. . . .	\$.235
One (1) additional dwelling unit on the same lot.	1.40
Each dwelling unit in a duplex.	1.80
Each dwelling unit in an apartment building or dwelling group.	1.40

(6) In areas outside the Sewer District, the monthly sewer service charges for dwelling units connected to the sewage system shall be Six and no/100ths (\$6.00) Dollars per month per dwelling unit paid bi-monthly.

(b) Commercial.

(1) Charges for all commercial users inside the City limits connected to the sewage system shall be sixty-five (65%) percent of the bi-monthly water bill, provided that all water used on the premises is from City facilities. In addition thereto, if any or all water used by any commercial user is from other than City facilities, user shall install metering facilities approved by the Director at the user's expense and the sewer service charge shall be an amount equal to sixty-five (65%) percent of the charges which would be made were such water from City facilities. In no event shall charges for commercial users be less than a bi-monthly rate of Three and no/100ths (\$3.00) Dollars

(2) Charges for all commercial users outside the City limits but inside the Sewer District as of July 1, 1967, connected to the sewage system shall be one hundred twenty (120%) percent of the sewer service rate charged commercial users inside the City.

(3) Charges for commercial users outside the Sewer District connected to the sewage system shall be the charges for commercial users inside the City limits multiplied by three (3).

(4) Monthly sewer service charges for commercial users inside the City limits as of July 1, 1967, not connected to the sewage system and for which sewer service is available, shall be One and 50/100ths (\$1.50) Dollars.

(c) Industrial.

(1) Monthly charges for industrial users inside the City limits shall be as follows, based on either sewage discharge or water used:

FLOW	CHARGE
3,000 CF or less. . . . .	.\$10.00 per month
Next 12,000 CF . . . . .	.11 per 100 CF
Next 185,000 CF . . . . .	.09 per 100 CF
Next 300,000 CF . . . . .	.08 per 100 CF
Next 500,000 CF . . . . .	.06 per 100 CF
Over 1,000,000 CF . . . . .	.04 per 100 CF

If the B.O.D. of the industrial waste is over 300 ppm, then an additional charge of Eighty (\$.80) Cents per one hundred (100) pounds of B.O.D. will be made for the B.O.D. in excess of three hundred (300) ppm, as set forth in Section 5-6.13(d) herein.

(2) Monthly charges for industrial users outside the City limits and inside the Sewer District, shall be as follows, based on either sewage discharge or water used:

FLOW	CHARGE
3,000 CF or less. . . . .	.\$20.00 per month
Next 12,000 CF . . . . .	.16 per 100 CF
Next 185,000 CF . . . . .	.13 per 100 CF
Next 300,000 CF . . . . .	.11 per 100 CF
Next 500,000 CF . . . . .	.08 per 100 CF
Over 1,000,000 CF . . . . .	.05 per 100 CF

If the B.O.D. of the industrial waste is over three hundred (300) ppm, then an additional charge of Eighty (\$.80) Cents per one hundred (100) pounds of B.O.D. will be made for the B.O.D. in excess of three hundred (300) ppm, as set forth in Section 5-6.13(d) herein.

(d) Schools. No charge shall be made for sewer service to schools.

(e) Churches and Parsonages. The monthly sewer service charge for churches within the Sewer District shall be One and 50/100ths (\$1.50) Dollars per month. When a residence used as a parsonage is located on the same lot, there shall be an additional sewer service charge of One and 50/100ths (\$1.50) Dollars per month.

(f) 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 user outside of the boundaries of the Sewer District, at rates different from those heretofore set forth.

SEC. 5-6.03. PAYMENT OF SEWER SERVICE CHARGES. Charges for sewer service to properties shall begin on the first of the month following completion or occupancy of a building, whichever date shall occur first.

SEC. 5-6.04. SEWER CONNECTION CHARGES. Each person owning property within the Sewer District shall pay a charge to the City for connecting to the sewage system in accordance with the following rates:

(a) Residential. A connection charge of One Hundred and no/100ths (\$100.00) Dollars per dwelling unit shall be paid to the City for connection to the sewage system. The connection charge shall increase to One Hundred Fifty and no/100ths (\$150.00) Dollars on July 1, 1969, and shall increase at the rate of Twenty-Five and no/100ths (\$25.00) Dollars per dwelling unit annually thereafter, commencing on July 1, 1970, unless specifically waived for the year involved by resolution of the City Council.

(b) Commercial and Industrial. A connection charge of Four Hundred and no/100ths (\$400.00) Dollars per acre shall be paid to the City for connection to the sewage system. The connection charge shall increase to Six Hundred and no/100ths (\$600.00) Dollars on July 1, 1969, and shall increase One Hundred and no/100ths (\$100.00) Dollars per acre annually thereafter, commencing on July 1, 1970, unless specifically waived for the year involved by resolution of the City Council.

The acreage used to determine the connection charge shall be the total area developed or being developed which is owned, leased, or controlled by the user.

In those instances where the total acreage owned, leased or controlled by the user is greater than that developed or being developed, the Director is authorized to determine the acreage to be used in determining the connection charge. The remaining acreage shall pay a connection charge at such time as it is developed.

(c) Properties paying sewer service charges described in Section 5-6.02(a)(4) and (b)(4) shall be exempt from sewer connection charges.

SEC. 5-6.05. PAYMENT OF SEWER CONNECTION CHARGES. (a) The sewer connection charge set forth in Section 5-6.04(a) shall be paid for connection to the sewage system at the time a building permit is issued for a building or structure. In

those cases where a building exists, the sewer connection charge shall be collected at the time a plumbing permit is issued to connect said building or structure to the sewage system.

(b) The sewer connection charge set forth in Section 5-6.04(b) shall be paid for connection to the sewage system at the time connection is made or development occurs.

SEC. 5-6.06. SUBTRUNK SEWER EXTENSION CHARGE. (a) Residential and Commercial Areas. A subtrunk sewer extension charge of One Hundred Fifty and no/100ths (\$150.00) Dollars per gross acre shall be paid to the City for each residential and/or commercial area served, unless said area has previously participated in the cost of construction of a subtrunk sewer.

(b) **Industrial Areas.** For industrial areas, the extension of subtrunk sewers will be on an individual basis for areas served, since size of these subtrunk sewers is dependent upon specific needs.

SEC. 5-6.07. PAYMENT OF SUBTRUNK SEWER EXTENSION CHARGES. Subtrunk sewer extension charges shall be paid at the time sewer service is made available to any subdivision, tract, area, or lot in the Sewer District. In the case of new subdivisions or parcel maps, this charge shall be paid at the time of filing the final subdivision or parcel map. In the case of improvement district proceedings, this charge shall be included in the costs to be assessed against the district.

SEC. 5-6.08. CONSTRUCTION OF NEW SEWER LATERALS. Any person within the Sewer District may connect his property to the City sewage system by constructing a sewer lateral under one of the following methods and constructing a house sewer line connecting the property to a sewer lateral.

(a) **By Improvement District Proceedings.** Sewer laterals may be financed by the formation of assessment districts and sale of improvement bonds in accordance with existing state laws governing the formation of such districts and the sale of such bonds.

(b) **By Private Contract: Undeveloped Land.** The owner of any undeveloped subdivision, tract, area, or lot within the Sewer District may make private arrangements for the construction of sewer laterals to serve such subdivision, tract, area, or lot in accordance with plans and specifications prepared by a registered engineer and approved by City, at his own expense, and by employing a licensed contractor to perform the work. The owner shall reimburse the City for costs incurred by it in inspection of the work.

(c) **By Private Contract: Developed Land.** The owner of any developed subdivision, tract, area, or lot within the Sewer District may make private arrangements for the construction of sewer laterals to serve such subdivision, tract, area, or lot in accordance with plans and specifications prepared by a registered engineer and approved by City, or in accordance with plans and specifications prepared by the City Engineer and by employing a licensed contractor to perform the work. The owner shall reimburse the City for costs incurred by it for any preparation of plans and specifications, and for inspection of the work.

SEC. 5-6.09. PARTICIPATION IN COST OF CONSTRUCTING SUBTRUNK SEWERS. (a) Whenever City requires a design and construction of a sewer lateral beyond that which is required to serve a subdivision, improvement district, or area by itself, the City may provide the portion of the increased cost of constructing the sewer lateral directly resulting from such increased design. Said cost shall be determined by the Director.

(b) Expenditures of funds by the City in accordance with the provisions of this section shall be on the basis that said expenditures will be recovered by the City from subtrunk sewer extension charges set forth in Section 5-6.06.

SEC. 5-6.10. REIMBURSEMENT OF PRIVATE FUNDS EXPENDED ON SEWER LATERALS AND SUBTRUNK SEWERS. Before any land, through which sewer laterals or subtrunk sewers pass, shall be allowed to connect to the sewage system, reimbursement shall be made of any private funds expended upon such sewer laterals or subtrunk sewers as determined by the Director.

SEC. 5-6.11. METHOD OF PAYMENT OF CHARGES. On premises served with City water, the charge for sewer service shall be added to the charge for water service and payment of the total amount must be made in accordance with Section 11-1.11 of Chapter 1 of Title XI, regulating the payment of water service charges.

Delinquent payment of sewer service charges shall be treated in the same manner as delinquency in payment of water charges as specified in Section 11-1.11 of Chapter 1 of Title XI relating to charges for water services. Discounts for advance payment of sewer service charges shall be made in the same manner as discounts for advance payments of water service charges in accordance with Section 11-1.11 of Chapter 1 of Title XI relating to water service charges.

On premises not served with City water, the billing of services and discount for advance payments shall be made insofar as practicable in accordance with provisions of Section 11-1.11 of Chapter 1 of Title XI relating to charges for flat rate water services; or, if not practicable, they shall be as determined by the Director of Finance.

SEC. 5-6.12. PERMITS. (a) Industrial Users. Before an industrial waste connection is made to the sewage system, a permit must first be obtained from the Director. Application for a permit to discharge such wastes shall be in writing and shall contain the following information:

- (1) Name and address of applicant.
- (2) Proposed location of connection.
- (3) Estimated gallonage of wastes proposed to be discharged, estimated time of discharge, time of peak loads, and other similar data.
- (4) Character of waste proposed to be discharged.
- (5) Other information as may be deemed to be necessary by the Director.

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

In the event that the Director finds and determines:

(1) That the trunk sewer in which the connection is to discharge has sufficient unused carrying capacity for the disposition of these wastes;

(2) That the character of the wastes proposed to be discharged by the applicant is such that they can successfully be treated;

(3) That such wastes will not result in damage to the sewage system; then he shall issue a permit to the applicant as requested.

The Director, at his discretion, and toward the end of fulfilling the intent and purposes of this Chapter, may grant a permit in part only and may thereupon prescribe conditions with respect to discharge of such waste into such system and may require treatment thereof, the maintenance of individual screens to collect waste products and/or may require the construction and use of tanks designed to equalize flow and reduce peak load.

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

(b) All Other Users. Permits for all sewer connections, except industrial users, shall be obtained in accordance with the provisions of the Plumbing Code of the City.

SEC. 5-6.13. RULES AND REGULATIONS. (a) No person shall discharge, or allow the discharge of, or dump sanitary sewage or industrial waste or other waste matter into the sewage system except in compliance with the terms of and upon payment of the charges provided in this Chapter.

(b) No person shall connect property outside the Sewer District to the sewage system without first obtaining the consent of the City Council and paying the fees and charges imposed by the City. In considering applications for furnishing sewer service to property located outside the Sewer District, the Council may impose such reasonable conditions to the granting of such privilege as it deems to be in the best interest of the City.

(c) There shall be a separate connection to the sewage system for each building served except that when authorized by the Director, two (2) or more buildings on the same lot may be served by the same sewer connection.

(d) The value of B.O.D. to be used in determining the strength of waste of an industrial user shall be the average of at least four (4) grab samples taken at reasonable intervals during the billing period.

(e) Each user shall be responsible for the construction, maintenance and repair of his house sewer line. Each user shall be liable for damages which may result to the sewage system from his failure to keep his house sewer line in good order. A City inspector shall be admitted at all reasonable hours to all parts of any premises connected with the sewage system for purposes of checking the house sewer line and all fixtures and facilities connected thereto.

SEC. 5-6.14. PERSONS RESPONSIBLE FOR PAYMENT OF SEWER SERVICE CHARGES. All monthly sewer service charges shall be billed to the following persons:

(a) In the case of any person whose premises are connected with the municipal water system, then to the person who requested such connection to the municipal water system or his successor in interest, or to any person requesting that such bill be charged to him.

(b) In the case of any person whose premises are not connected to the municipal water system, then to the person who requested the connection to the sewage system or his successor in interest, or if no such request was made, then to the owner of record of such premises on the date on which such premises are required hereby to connect to the sewage system, or to the successor in interest to such person, or to any person requesting that such bill be charged to him.

SEC. 5-6.15. ENFORCEMENT RESPONSIBILITIES. (a) The City Manager shall insure enforcement of this Chapter by coordinating the actions of the Director of Finance, the Director of Public Works, and any other City departments concerned. The Director of Public Works is hereby charged with the enforcement of all of the provisions of this Chapter.

(b) In the event of a violation of any of the terms of this Chapter, or any rule or regulation established thereunder, the Director shall notify in writing the person causing, allowing, or committing such violation, specifying the violation, and if applicable, the time after which (upon the failure of such person to prevent or rectify the violation) the Director will exercise his authority to disconnect the system from the municipal water system and/or the sewage system; provided that such time shall not be less than five (5) days after the deposit with postage paid of such notice in the United States Post Office at Modesto, California, addressed to the person to whom notice is given; provided, however, that in the event such violation results in a public hazard or menace, then the Director may enter upon the premises without notice and do such things and spend such sums as may be necessary to abate such hazard, and the reasonable value of things done and the amounts expended in so doing shall be a charge upon the person so in violation.

(c) Upon the failure of any user to pay any sewer service charge prior to delinquency, any one or more of the action authorized in subsections (d) or (e) hereof may, or where required hereby, must, be taken by the City or City officials to enforce such payment, subject to the provisions of subsection (b) hereof.

(d) Each sewer service charge levied by or pursuant to this Chapter on any premises within the Sewer District is hereby made a lien upon such premises, and any steps authorized by law may be taken by the City to enforce payment of such lien.

(e) In each case where a bill for sewer service shall become delinquent, the Director shall disconnect the premises from the municipal water system, and he also may disconnect the premises from the sewage system. Whenever premises have been disconnected from either the municipal water system or the sewage system for the nonpayment of sewer service charges, such premises shall not be reconnected to either the municipal water system or the sewage system until all delinquent fees have been paid, together with such reasonable charges for reconnection as may be

established from time to time by resolution duly adopted by the Council.

SEC. 5-6.16. CONNECTION TO SEWAGE SYSTEM REQUIRED. Every building or structure in the Sewer District in which plumbing fixtures are installed shall be connected to the sewage system where a sewer lateral is available. This requirement shall apply to any building or structure existing on July 1, 1967, as well as any building or structure thereafter constructed.

A sewer lateral is available for the purposes of this section when such a sewer lateral or any building or septic tank connected thereto is located within one hundred (100') feet from any proposed building or septic tank on any lot or premises which abuts and can be served by such sewer lateral.

SEC. 5-6.17. CONNECTION TO SEWAGE SYSTEM: WHEN REQUIRED. Every building or structure connected to a septic tank at the time a sewer lateral becomes available as defined in Section 5-6.16 shall be connected to the sewage system within two (2) years after the sewer lateral becomes available.

SEC. 5-6.18. CONNECTION TO SEWAGE SYSTEM: UPON ANNEXATION: WHEN REQUIRED. Buildings or structures connected to septic tanks in territory not located within the Sewer District on July 1, 1967, but which territory is subsequently annexed to the Sewer District, shall be connected to a sewer lateral within two (2) years from the effective date of annexation, where a sewer lateral is available or within two (2) years after a sewer lateral becomes available, whichever occurs later.

SEC. 5-6.19. EXCEPTION TO MANDATORY SEWER CONNECTION. If the Council determines that extraordinary hardship will result from strict compliance with the provisions of Sections 5-6.16, 5-6.17, and 5-6.18, the Council, by resolution, may vary the conditions so that substantial justice may be done and the public interest secured, provided that such variation does not have the effect of nullifying the intent and purpose of this Chapter.

SEC. 5-6.20. REPAIR OF PRIVATE SEWAGE DISPOSAL SYSTEM. No building permit shall be issued for the installation, alteration or repair of any private sewage disposal system or part thereof, on any lot for which a connection with a sewer lateral is available as defined in this Chapter.

SEC. 5-6.21. APPEALS. Any person who shall be dissatisfied with any action of the Director in the administration of this Chapter, may appeal to the Council in accordance with the procedure prescribed by Chapter 4 of Title I of this Code.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1967, by Councilman Davies, 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: Davies, Hughes, Mitchell, Patton, Shastid,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been 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 24th day of April, 1967, Councilman Mitcehll,moved its final adoption, which motion being duly seconded by Councilman Hughes , was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Davies, Hughes, Mitchell, Patton, Shastid, Smith, Mayor Johansen


NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 24, 1967

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE NORTH 99 NO. 2 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by A. H. Bergen and Vera B. Bergen; Wells Fargo Bank; Atlantic Richfield Company; Westover Development Company; Melenco, Inc.; Angela Cipponeri and Benedict V. Cipponeri; and Natale Buscemi and Maria Buscemi on February 16, 1967, 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 99 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 March, 1967, set said petition for hearing at the hour of 8:15 o'clock P.M. on the 24th day of April, 1967, 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 Bee, a newspaper published in the City of Modesto on March 23, 1967, and on March 30, 1967; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on March 23, 1967, and on March 30, 1967, 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,

8/6/65

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, the Stanislaus County Local Agency Formation Commission did on February 16, 1966, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to ~~Section 54766 of~~ the Government Code, and

WHEREAS, on the 24th day of April, 1967, at the hour of 8:15 o'clock P.M., in the Council Chambers at the City Hall, 801 - 11th 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 99 NO. 2 ADDITION, 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 99 NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at a point on the existing City Limits as established by the most Westerly line of the NORTH 99 ADDITION, as per description filed June 28, 1966, as Instrument 23028, Stanislaus County Records, said point being the Northwest corner of Section 19; thence along the existing City Limits and the Western line of Section 19, South $0^{\circ} 25'$ East, 10.69 feet, to its intersection with the center line of a Public Road known as West Orangeburg Avenue and the true point of beginning; thence continuing along the existing City Limits the following courses:

Thence along the center line of West Orangeburg Avenue, South $83^{\circ} 30' 50''$ East, 24.30 feet; thence continuing along said center line on a tangent curve concave to the Southwest, having a Radius of 300.00 feet, a Central Angle of $48^{\circ} 27' 51''$ and an Arc Length of 253.76 feet, to its intersection with the center line of a Public Road known as Evergreen Road; thence along said center line, North $54^{\circ} 57' 01''$ East, 111.80 feet; thence continuing along said center line on a tangent curve concave to the Southeast, having a Radius of 379.85 feet, a Central Angle of $35^{\circ} 41' 29''$ and an Arc Length of 236.62 feet, to its intersection with the Northern line of Section 19; thence along said section line, South $89^{\circ} 21' 30''$ East, 509.79 feet; thence South $0^{\circ} 33' 30''$ East, 318.48 feet; thence North $89^{\circ} 21' 30''$ West, 151.00 feet; thence South $0^{\circ} 33' 30''$ East, 701.39 feet; thence North $89^{\circ} 42' 15''$ West, 323.42 feet, to a point on the Eastern line of the California State Freeway, U. S. 99; thence along said Eastern line, South $43^{\circ} 21'$ East, 421.69 feet, and South $48^{\circ} 01' 45''$ East, 236.12 feet; thence across said Freeway, South $0^{\circ} 41'$ East, 329.99 feet, to a point on the Western line of said Freeway; thence along said Western line, the following courses: North $32^{\circ} 02' 43''$ West, 156.09 feet; thence North $42^{\circ} 06' 46''$ West, 324.15 feet; thence North $43^{\circ} 21'$ West, 300.00 feet; thence South $46^{\circ} 35' 42''$ West, 48.01 feet; thence along a Radial line, South $79^{\circ} 39' 39''$ West, 84.00 feet; thence along a curve concave to the Southwest, the center of which bears South $79^{\circ} 39' 39''$ West, having a Radius of 552.00 feet, a Central Angle of $28^{\circ} 13' 51''$ and an Arc Length of 271.98 feet; thence North $38^{\circ} 31' 39''$ West, 229.08 feet; thence North $44^{\circ} 47' 32''$ West, 95.51 feet; thence North $48^{\circ} 41' 21''$ West, 151.77 feet, to a point on the Western line of Section 19; thence along the Western line of Section 19, North $0^{\circ} 25'$ West, 677.05 feet, to the point of beginning, containing 24.429 Acres, more or less.

AN ORDINANCE GRANTING TO MODESTO AND EMPIRE TRACTION COMPANY, A CALIFORNIA CORPORATION, A FRANCHISE TO OPERATE, MAINTAIN, REPAIR AND RENEW A COMMERCIAL RAILROAD FOR THE TRANSPORTATION OF PROPERTY AS A COMMON CARRIER, IN, UPON, OVER, UNDER, ALONG AND ACROSS VARIOUS PUBLIC STREETS IN THE CITY OF MODESTO.

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

SECTION 1. DEFINITIONS. As used in this franchise, the singular number includes the plural, and the plural number includes the singular. Unless it shall be apparent from the context that they have a different meaning, the following words and phrases shall have the meaning herein specified:

(a) City. The word "City" shall mean the City of Modesto, a municipal corporation of the State of California, in its present incorporated form or any reorganized, consolidated or reincorporated form.

(b) City Attorney. The words "City Attorney" shall mean the duly appointed, qualified and acting City Attorney of the City of Modesto or such person as may hereafter, by law, be authorized to perform the duties now being performed by that official.

(c) City Clerk. The words "City Clerk" shall mean the duly appointed, qualified and acting City Clerk of the City of Modesto, or such person as may hereafter, by law, be authorized to perform the duties now being performed by that official.

(d) City Manager. The words "City Manager" shall mean the duly appointed, qualified and acting City Manager of the City of Modesto, or such person as may hereafter, by law, be authorized to perform the duties now being performed by that official.

(e) Council or City Council. The word "Council" or words "City Council" shall mean the present governing body of the City or any future board constituting the legislative body of the City.

(f) Franchise Property. The words "franchise property" shall mean all property constructed, installed, operated, or

maintained in a public street pursuant to any right or privilege granted by this franchise, provided that any such property shall retain its character as "franchise property" only so long as it shall remain in or upon a street pursuant to any right or privilege granted by this franchise.

(g) Grantee. The word "grantee" shall mean Modesto and Empire Traction Company, a California corporation, and any person, firm, or corporation to which this franchise may hereafter be lawfully transferred as herein provided.

(h) Grantor. The word "grantor" shall mean the City of Modesto, a municipal corporation of the State of California.

(i) Public Utilities Commission. The words "Public Utilities Commission" shall mean the Public Utilities Commission of the State of California or any state officer or board succeeding to its function.

(j) Street. The word "street" shall mean any public street, road, highway, lane, alley, court, sidewalk, parkway, bridge, or similar public place, or above or below same, which now exists or which may hereafter exist within the City.

(k) Superintendent of Streets. The words "Superintendent of Streets" shall mean the duly appointed, qualified and acting Superintendent of Streets of the City of Modesto or such person as may hereafter, by law, be authorized to perform the duties now being performed by that official.

SECTION 2. NATURE OF GRANT. The City of Modesto hereby grants to Modesto and Empire Traction Company, a California corporation, a commercial railroad franchise to operate, maintain, repair and renew a common carrier rail transportation line as hereinafter described and in accordance with the terms and conditions contained in this ordinance, that is, a franchise:

(a) Rail Service. To engage, during the term of this franchise, as a common carrier, in the business of transporting property for hire, by rail in, upon, over, under, along and across the various public streets now or hereafter traversed by the route and tracks designated in Section 3 hereof and to

construct, install, use, operate, maintain, repair and renew, in such public streets, any such physical property as may be reasonably necessary to the conduct of such business, including rails and track structure.

(b) Non-Exclusive Feature of Franchise: The granting of this franchise or any of the terms or conditions contained herein shall not be construed to prevent the City from granting over the route herein specified or elsewhere any identical, similar or other type of franchise to any person, firm or corporation other than grantee.

(c) Acceptance by Grantee. This franchise is not in lieu of any other franchises, rights or privileges now owned by grantee for the furnishing of any utility or service within the limits of the City of Modesto as they now or may hereafter exist, and the acceptance by grantee of this franchise shall not constitute or be deemed to constitute a waiver or abandonment or surrender by grantee of such franchises, rights or privileges as it may own or possess in connection with its operation in, upon, over, under, along or across any public streets in the City of Modesto other than in the area traversed by the route and tracks designated in Section 3 hereof.

SECTION 3. DESIGNATION OF RAIL ROUTE AND STREET AREAS.

The center line of the route and tracks referred to in Section 2 hereof is described as follows:

BEGINNING at a point on the center line of B Street, which lies approximately 190 feet southwesterly of the center line of Ninth Street; thence northeasterly along the center line of B Street, 1,340 feet, more or less, to the northeasterly property line of 12th Street.

EXCEPTING THEREFROM all existing Modesto and Empire Traction Company rights of way or easements lying within the above described strip of land.

SECTION 4. DURATION, REVOCATION AND TERMINATION OF GRANT.

(a) This grant shall endure in full force and effect for a period of twenty (20) years from and after the effective date hereof, unless the same, with the consent of the appropriate state or federal agency, shall be voluntarily surrendered or abandoned by grantee, or unless the franchise shall be forfeited for

noncompliance with its terms by grantee.

(b) Grantee shall comply with the provisions of the City Charter and all lawful ordinances of the City, heretofore or hereafter adopted, relating to the operations hereunder. If grantee shall at any time fail to comply with or to fulfill any one or more of the terms or conditions of this franchise, the City Council may, by lawful ordinance, revoke this franchise, provided, however, that if such failure of compliance or fulfillment shall be due to a cause beyond the control of grantee, then this franchise shall not be so revoked until such failure shall have continued for a period of six (6) months after grantee has power to comply.

(c) If any term or condition of this franchise shall be or become invalid or unenforceable, the City Council may, by ordinance, terminate the franchise, provided the City Council shall find and declare that the invalid or unenforceable term or condition constituted a consideration material to the grant of this franchise.

SECTION 5. LIMITATION UPON SERVICE. (a) The use or operation of grantee's franchise property shall be subject to all lawful ordinances of the City now or hereafter in effect relating thereto.

(b) Trains, cuts or strings of cars or single cars or locomotives shall not be permitted to stop or stand on any track or tracks covered by this franchise, except in connection with the switching of cars to or from industrial tracks connecting with such tracks and except to do so for vehicular traffic, traffic signals and railroad or grade crossings or in the event of emergencies such as derailments, mechanical failures, and the like.

(c) Provided, however, that written permission to deviate from any of the requirements of this Section 5 may be given by the City Manager when, in the judgment of such City Manager, unforeseen conditions or emergencies so warrant.

SECTION 6. STREET WORK BY GRANTEE. (a) Grantee shall have the right to make all necessary excavations in the streets for installation, construction, maintenance, repair, replacement,

reconstruction and removal of franchise property.

(b) Before grantee shall engage in any work in the streets for the installation, construction, maintenance, repair, replacement, reconstruction, or removal of franchise property, written notice thereof shall be given to the Superintendent of Streets. Except in the case of emergency work necessary to avoid an immediate interruption of service, or for the immediate preservation of the public safety, such notice shall be given at least forty-eight (48) hours, exclusive of Saturdays and Sundays and Holidays, prior to commencement of such work.

(c) The Superintendent of Streets shall have authority to regulate and restrict the time and manner of performing any work in the public streets to the extent necessary, in his opinion, to provide for the public safety and convenience.

(d) Whenever the City or other governmental agency shall pave or repave the street or shall reconstruct a street with a higher type of pavement, grantee shall simultaneously pave or repave the portion of the street used by the track or tracks of grantee and between the rails and for two (2') feet on each side thereof, and between the tracks, if there be more than one, and shall cause such street work to be done with the same kind of material as is used in the remaining width of each street, all to the satisfaction of the Superintendent of Streets.

(e) Whenever the City or other governmental agency shall have previously constructed pavement or shall pave or repave a street under item (d) above, the grantee shall maintain and keep the portion of the street used by the track or tracks of grantee and between the rails and for two (2') feet on each side thereof, and between the tracks, if there be more than one, constantly in repair flush with the street and with good crossings, all to the satisfaction of the Superintendent of Streets.

SECTION 7. PUBLIC IMPROVEMENTS BY PUBLIC BODIES. (a) The City, the State and any political subdivision or governmental agency or instrumentality may construct, improve, install, repair, maintain and remove any public improvements or facilities such as sewers,

drains, water or gas pipes, electric or other lines or conduits, and the like, in, under or above any street or portion thereof covered by this franchise.

(b) If the Superintendent of Streets shall give to grantee twenty (20) days' written notice of the fact that work is to be done pursuant to any right reserved in subdivision (a) of this section, specifying the general nature of the work and the area in which the same is to be performed, then grantee shall at its own expense do all things necessary to support and protect its franchise property during the progress of such work, and, if ordered by the Superintendent of Streets, the grantee shall at its own expense disconnect, remove, or relocate its franchise property within the street to such extent, in such manner, and for such period as shall be necessary to permit the performance of such work in an economical manner and in accordance with generally recognized engineering and construction methods, and to permit the maintenance, operation and use of such public improvement or of the street as so improved. If the location of grantee's franchise property in such streets or portion thereof increases the cost of such work described in paragraph (a) above, grantee shall be liable and pay for such increased cost caused by the location of such franchise property.

SECTION 8. CONSTRUCTION AND RECONSTRUCTION OF TRACKS.

(a) The rails of the tracks constructed or reconstructed after the effective date of this franchise in the improved or paved streets pursuant to this franchise, shall be guarded tee rail satisfactory to the Superintendent of Streets. All tracks so constructed or reconstructed pursuant to this franchise shall be placed and maintained at grades and alignments prescribed by the Superintendent of Streets.

(b) In the event the City shall from time to time prescribe any change of grade or alignment for the street in which the track or tracks is located, the grantee shall at its own expense cause its rails to conform to the newly prescribed grade or alignment at the request of the City.

(c) All future installations, and the grade to which they shall be constructed shall all be satisfactory to the Superintendent of Streets.

SECTION 9. GRADE SEPARATIONS. Grantee shall bear such costs of installation, alteration, maintenance or operation of crossing protections or of grade separations as may be ordered by the Public Utilities Commission.

SECTION 10. DAMAGE TO PUBLIC PROPERTY. Grantee shall pay to the City on demand the cost of all repairs to public property made necessary by or proximately resulting from any operations of grantee under this franchise, ordinary wear and tear excepted.

SECTION 11. INSTALLATION OF OTHER UTILITIES. The City reserves to itself, as against the grantee, the following rights:

(a) To permit others to construct, install, maintain, repair and renew property of any character in and upon all of the streets covered by this franchise.

(b) To permit others to operate and use, for every lawful purpose, any property, other than property of grantee, constructed installed, maintained or renewed in the streets covered by this franchise.

Provided, however, that City shall include in any authority granted to others pursuant to the rights reserved in (a) and (b) above, reasonable provisions for the protection by and at the expense of such others of the franchise property of grantee, including, but not limited to, reasonable provisions as to the methods and time of performance of work by such others on, under, over and adjacent to grantee's franchise property.

Grantee shall bear the expense of all repairs, reconstruction or support and protection of its franchise property made necessary by the use, operation, maintenance, repair or renewal of any property constructed or installed in the streets prior to the construction or installation therein of grantee's franchise property.

(c) The rights reserved to the City in and by this section are independent of, and in addition to, the rights of

the City with respect to public improvements under Section 7 of this franchise.

SECTION 12. TERMINATION OF SERVICE. (a) Unless otherwise authorized by ordinance, in the event of abandonment of service, grantee shall at its expense within three (3) months thereafter remove its franchise properties from streets and reconstruct the pavement and other street improvements adjacent to franchise properties so that the work will join and be contiguous with the work done in adjoining portions of the street; all of said work to be done under the supervision of and to the satisfaction of the Superintendent of Streets.

(b) For the purpose of this section, failure to maintain service for a period of six (6) months shall constitute abandonment of service, except where such failure is due to strikes, acts of God, or other causes beyond the reasonable control of grantee.

(c) In the event grantee fails or refuses to remove its franchise properties from the streets as provided for in subsection (a) hereinabove, the City Council may declare a breach of the conditions of this franchise and grantee shall be liable and pay to the City the reasonable cost of doing the work required by said subsection (a).

SECTION 13. CITY'S RIGHT TO INSPECT PROPERTY AND RECORDS AND OBTAIN REPORTS. (a) At all reasonable times, grantee shall permit the City Manager, or any person designated by him, to examine all property of grantee constructed, installed, maintained, or operated pursuant to this franchise, together with any appurtenant property of grantee.

(b) Grantee shall at the request of the City Manager prepare and furnish the City Manager, at its expense within thirty (30) days, such reports with respect to its operations, affairs, transactions, property and financial conditions as may be reasonably necessary or appropriate to the performance of any of the duties of the City Manager with relation to this franchise.

SECTION 14. INDEMNIFICATION OF CITY. (a) Grantee does hereby indemnify, save and hold harmless the City and its officers

and employees from any and all liability for damages proximately resulting from any operations by grantee under this franchise.

(b) The City shall notify grantee in writing, within sixty (60) days after the service upon the City, of any claim or of any summons or complaint in connection with which grantee may be obligated to hold the City harmless under this section and shall take such action as may be necessary to insure that no default may be entered until a reasonable time after such notice in connection with which grantee may be obligated to hold the City harmless under this section.

SECTION 15. FORFEITURE. If grantee shall fail, neglect or refuse to comply with any of the terms or conditions of this grant, and if such failure, neglect or refusal shall continue for more than sixty (60) days after written demand by the City, or its City Manager, for compliance therewith, then, and in that event the City, by its legislative body, in addition to all rights and remedies, allowed by this franchise or by law, may thereupon declare a forfeiture of the franchise, right and privilege granted by this ordinance. Upon any such forfeiture, all the franchise rights and privileges of grantee granted hereby shall thereupon be at an end.

No provision herein made for the purpose of securing the enforcement of the terms and conditions of this franchise shall be deemed an exclusive remedy or to afford the exclusive procedure for the enforcement of said terms and conditions, but the remedies and procedure outlined herein or provided, including forfeiture, shall be deemed to be cumulative.

SECTION 16. a TRANSFER OF FRANCHISE RIGHT. No transfer, assignment or lease, or attempted transfer, assignment or lease, of this franchise, in whole or in part, or of any right, privilege or interest therein to any person, firm or corporation shall have any force, effect or validity without the express consent of the City given by ordinance, provided, however, that nothing herein shall be construed to prevent grantee from including this franchise in a mortgage or deed of trust without such express consent.

SECTION 17. DELIVERY OF NOTICE. (a) Any written notice herein required to be given by City, or any of its officers or agents, to grantee shall be delivered in person or sent by registered mail to the President of grantee.

(b) Any written notice herein required to be given by grantee to the City, or any of its officers or agents, shall be delivered in person to the individual for whom it is intended, or to the City Manager of the City, or sent by registered mail to the City Manager of the City.

SECTION 18. ACCEPTANCE OF FRANCHISE. Grantee shall within thirty (30) days after the effective date of this ordinance file with the City Clerk a written instrument satisfactory to the City Attorney accepting the terms and conditions hereof, and at the same time pay to the City the first annual payment referred to in Section 19. If grantee shall fail to file its acceptance with the City Clerk and to make said payment to City within the aforesaid time, the franchise hereby granted shall be ipso facto void.

SECTION 19. CONSIDERATION FOR FRANCHISE. As a consideration for the granting of this franchise, grantee shall pay to the City annually on the anniversary of the effective date hereof an amount equivalent to the sum of fifty (50¢) cents per track foot, or fraction thereof, for the portion of all tracks in street areas as measured along the center line of each track described in Section 3. The foregoing payments and the agreements and obligations of grantee hereunder are deemed by the City Council to be an adequate consideration for the privilege hereby granted.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of

May, 1967, by Councilman Hughes, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

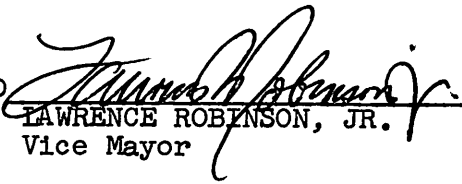
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15th day of May, 1967, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Mitchell, Simon, Smith, Vice Mayor Robinson


NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Shastid, Mayor Davies

APPROVED


LAWRENCE ROBINSON, JR.
Vice Mayor

ATTEST:


W. T. CHYNOWETH
City Clerk

EFFECTIVE DATE: June 14, 1967

AN ORDINANCE AMENDING SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (STANISLAUS MEDICAL BUILDING CORPORATION)

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

SECTION 1. ZONING CHANGE. Section 22-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from single-family zone, R-1, to Planned

Development Zone, P-D (30): All that real property in 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 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, and Lot 8, Block 1032 of Downey Manor, as per map filed August 5, 1955 in Volume 18 of Maps at Page 32, Stanislaus County Records; and portions of adjacent rights-of-way, more particularly described as follows:

Commencing at the Southwest corner of said Section 22, thence Northerly along the west line of Section 22, 20 feet to the true point of beginning; thence Easterly along the northerly right-of-way line of a 40-foot wide public street known as Lucern Avenue to its intersection with the easterly line of said Lot 30, said point also being on the westerly line of a 20-foot wide public street known as Sunnyside Avenue; thence Northerly along the easterly line of said Lot 30 and the westerly line of Sunnyside Avenue to its intersection with the centerline of an east-west 20-foot alley; thence Westerly along the centerline of said alley to its intersection with the southerly extension of the easterly line of Lot 8, Block 1032 as shown on the map of Downey Manor subdivision, recorded on August 5, 1955, in Volume 18 of Maps at Page 32, Stanislaus County Records; thence Northerly along said easterly lot line and the prolongation thereof to its intersection with the centerline of a 60-foot wide public street known as Locke Road; thence Westerly along the centerline of said Locke Road to its intersection with the West line of Section 22, also being the centerline of a 90-foot wide public street known as Coffee Road; thence southerly along said section line to the point of beginning.

SECTION 2. USES. The following uses shall be permitted

in said P-D (30) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b)

of the Modesto Municipal Code; said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

- (1) Doctors' offices and examination and treatment rooms for approximately thirty-five (35) doctors.
- (2) Minor surgery facilities.
- (3) X-ray facilities.
- (4) Pharmacy.
- (5) Approximately two hundred fifty-six (256) off-street parking spaces.

SECTION 3. ZONING MAP. Section Map 22-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1967, by Councilman Shastid, 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, Mitchell, Robinson, Shastid, Simon,
Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Lee H. Davies
~~XXXXXXXXXXXXXXXXXXXX~~ Mayor
LEE H. DAVIES,

ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,
(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Russell Fey
Planning Department -2-

Ordinance 829 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 22nd day of May, 1967, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid,
Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: June 21, 1967

AN ORDINANCE AMENDING ORDINANCE NO. 827-C.S., ENTITLED, "AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS THE NORTH 99 NO. 2 ADDITION TO THE CITY OF MODESTO", TO AMEND SECTION 3 THEREOF.

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

SECTION 1. Section 3 of Ordinance No. 827-C.S., adopted on the 24th day of April, 1967, is hereby amended to read as follows:

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

SECTION 2. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 3. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1967, by Councilman Hughes, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

AN ORDINANCE ADDING SECTION 6-1.207.1 TO ARTICLE 2 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICIPAL CODE, RELATING TO BUSINESS LICENSES FOR AGENTS, TRAVELING SALESMEN AND MANUFACTURERS' REPRESENTATIVES.

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

SECTION 1. AMENDMENT OF CODE. Section 6-1.207.1 is hereby added to Article 2 of Chapter 1 of Title VI of the Modesto Municipal Code to read as follows:

SEC. 6-1.207.1. AGENTS, TRAVELING SALESMEN AND MANUFACTURERS' REPRESENTATIVES. Every person who engages in or solicits business in the City as an agent, traveling salesman, or representative of a brokerage, processing, manufacturing, or wholesale firm not having a fixed place of business within the City shall pay an annual business license tax of Thirty and no/100ths (\$30.00) Dollars.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1967, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of June, 1967, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell, Mayor Davies

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: July 5, 1967

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

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

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

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

NAME OF STREET OR PORTION AFFECTED	DECLARED PRIMA FACIE SPEED LIMIT
ALICE, from Sycamore to McHenry	25 miles per hour
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
BRIGGSMORE, from Tully Road to the westerly city limits	35 miles per hour
CARPENTER ROAD, between California and Maze	40 miles per hour
CARVER ROAD, from Evergreen Street north to the northerly city limits	25 miles per hour
CENTER STREET, entire length in city	25 miles per hour
COFFEE ROAD, Scenic Drive to M.I.D. Lateral #3	30 miles per hour
COFFEE ROAD, M.I.D. Lateral #3 to 200 feet north of Floyd Avenue	35 miles per hour
COLLEGE AVENUE, between Durant and Rumble	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EL VISTA, within the city limits	35 miles per hour

EMERALD, from Maze Road to the southerly city limits	25 miles per hour
ENCINA, Covena to Santa Ana	25 miles per hour
ENSLEN, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LEGION PARK ROAD, between Santa Cruz and Conejo	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in city	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in city	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
OLD OAKDALE ROAD, Scenic Drive to north city limits	30 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
ORANGEBURG AVENUE, Martin to Prescott	25 miles per hour
PRESCOTT ROAD, Briggsmore to Rumble	25 miles per hour

ROBLE AVENUE, Santa Ana to Rosina	25 miles per hour
<u>ROSE AVENUE, Scenic Drive to 400 feet north of Kruger Avenue</u>	<u>30 miles per hour</u>
<u>ROSE AVENUE, 400 feet north of Kruger to Floyd Avenue</u>	<u>35 miles per hour</u>
RUMBLE ROAD, between Tully and Tidewater Southern Tracks	25 miles per hour
RUMBLE ROAD, between Highgate and the east city limits	25 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
<u>STANDIFORD AVENUE, Tidewater Southern Railroad to McHenry Avenue</u>	<u>35 miles per hour</u>
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
TULLY ROAD, between Rumble and the northerly city limits	35 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WOODROW AVENUE, within the city limits	25 miles per hour
WRIGHT, from Sycamore to McHenry	25 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to south city limits	40 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to D Street	30 miles per hour
9TH STREET, from P Street to Tully Road	35 miles per hour
9TH STREET, from Tully Road to north city limits	50 miles per hour

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1967, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of June, 1967, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith

NOES: Councilmen: None

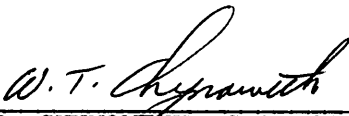
ABSENT: Councilmen: Hughes, Mitchell, Mayor Davies

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: July 5, 1967

AN ORDINANCE AMENDING SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (FLORY)

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Alfred H. Flory on March 14, 1967, to reclassify from One-Family Zone, ~~ZONE~~ R-1, to Two-Family Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on April 18, 1967, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 67-32, adopted on April 18, 1967, the Planning Commission recommended to the Council that the application of Alfred H. Flory to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Two-Family Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 22-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

All that portion of Lots 1 and 2 of Block 1156 of Greenbrier No. 1 and adjacent street right-of-way, according to the Official Map thereof recorded January 25, 1966 in Volume 21 of Maps at Page 39, Stanislaus County Records, in the City of Modesto, State of California, described as follows:

Beginning at the Southwest corner of said Lot 1 of Block 1156; thence North $0^{\circ} 26' 30''$ West along the West line of said Lot 1, a distance of 14.21 feet; thence North $89^{\circ} 33' 30''$ East 185.11 feet; thence South $0^{\circ} 26' 30''$ East 15.31 feet; thence South $89^{\circ} 54'$ West 185.11 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 22-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1967, 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, Robinson, Shastid, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Mayor Davies

APPROVED: Lee H. Davies
~~XXXXXXXXXXXXXXXXXXXX~~ Mayor
LEE H. DAVIES,

ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,
(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By Ann M. Key
Planning Department

Ordinance 833 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 June, ¹⁹⁶⁷~~1966~~, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Mitchell

APPROVED *Lee H. Davies*
~~PETER W. JOHNSON~~, Mayor
LEE H. DAVIES

ATTEST: *W. T. Chynoweth*
~~XXXXXXXXXXXX~~, City Clerk
W. T. CHYNOWETH

EFFECTIVE DATE: July 25, 1967

AN ORDINANCE AMENDING SECTION MAP 29-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (COMMISSION INITIATION)

WHEREAS, by Resolution No. 67-19 adopted on March 7, 1967, the Planning Commission initiated proceedings to reclassify from Planned-Development Zone, P-D(18), to Two-Family Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on April 18, 1967, it was found and determined by the Planning Commission that rezoning of the property as initiated is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 67-37, adopted on April 18, 1967, the Planning Commission recommended to the Council that the Planning Commission initiated rezoning to amend Section 29-3-9 of the Zoning Map to reclassify the hereinafter described property from Planned-Development Zone, P-D(18), to Two-Family Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the Planning Commission initiated rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 29-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned-Development Zone, P-D(18), to Two-Family Zone, R-2:

Beginning at the one-quarter section corner common to sections 20 and 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence South 0° 40' East along the north-south quarter-section line a distance of 496.1 feet to the true point of beginning of this description; thence North 67° 56' East a distance of 368.25 feet to the west line of the Modesto Irrigation District Substation property; thence North along the west line of said M.I.D. Substation property a distance of 147 feet more or less to the South line of Lot 4, Block 520; thence west along the South line of Lot 4 a distance of 160 feet more or less to the west line of the north-south alley in Block 520; thence South along the west line of said alley a distance of 101 feet; thence West, parallel to the South line of Lot 5, Block 520 and 101 feet therefrom, a distance of 180 feet more or less to the 1/4 Section line; thence South along the 1/4 Section line a distance of 195 feet more or less to the point of beginning, said property being located on the east side of Virginia Avenue north of M.I.D. Lateral No. 4.

SECTION 3. ZONING MAP. Section 29-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1967, by Councilman Shastid, 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, Robinson, Shastid, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

APPROVED: *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY *Will C. Fry*
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 June, ¹⁹⁶⁷~~1966~~, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Mitchell

APPROVED *Lee H. Davies*
~~XXXXXXXXXXXXXXXXXXXX~~ Mayor
LEE H. DAVIES

ATTEST: *W. T. Chynoweth*
~~XXXXXXXXXXXX~~, City Clerk
W. T. CHYNOWETH

EFFECTIVE DATE: July 25, 1967

**Ordinance 834 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ELLIS)

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Lance E. Ellis on March 15, 1967, to reclassify from Planned-Development Zone, P-D(23), and Single-Family Zone, R-1, to Multiple-Family Zone, R-3, and Two-Family Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on April 18, 1967, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 67-33, adopted on April 18, 1967, the Planning Commission recommended to the Council that the application of Lance E. Ellis to amend Section 15-3-9 of the Zoning Map to reclassify the hereinafter described property from Planned-Development Zone, P-D(23), and Single-Family Zone, R-1, to Multiple-Family Zone, R-3, and Two-Family Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 15-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned-Development Zone, P-D(23), and Single-Family Zone, R-1, to Multiple-Family Zone, R-3, and Two-Family Zone, R-2:

P-D(23) to R-2

All that portion of the southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the northeast corner of the southeast quarter of the southeast quarter of said Section 15; thence North $89^{\circ} 20' 41''$ West along the east-west quarter quarter section line of said Section 15 a distance of 381.91 feet to the true point of beginning of this description; thence continuing North $89^{\circ} 20' 41''$ West along said east-west quarter quarter section line a distance of 930.00 feet; thence North $0^{\circ} 01' 06''$ East along the west line of Planned Development Zone No. 23 a distance of 530.52 feet to the centerline of Celeste Drive, a 60 foot wide public street; thence South $89^{\circ} 41' 49''$ East along said centerline of Celeste Drive a distance of 931.62 feet; thence South $0^{\circ} 18' 11''$ West a distance of 536.23 feet to the point of beginning.

P-D(23) to R-3

All that portion of the southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the northeast corner of the southeast quarter of the southeast quarter of said Section 15; thence North $0^{\circ} 01' 26''$ East along the east line of said Section 15 a distance of 145.00 feet to the true point of beginning of this description; thence continuing North $0^{\circ} 01' 26''$ East along said east line of Section 15 a distance of 393.58 feet to the centerline intersection of Old Oakdale Road and Celeste Drive; thence North $89^{\circ} 41' 49''$ West along the centerline of said Celeste Drive a distance of 379.28 feet; thence South $0^{\circ} 18' 11''$ West at right angles to said centerline of Celeste Drive a distance of 536.23 feet to the east-west quarter quarter section line of said Section 15; thence South $89^{\circ} 20' 41''$ East along said quarter quarter section line a distance of 81.91 feet; thence North $0^{\circ} 01' 26''$ East parallel to the aforementioned east line of Section 15 a distance of 145.00 feet; thence South $89^{\circ} 20' 41''$ East parallel to the aforementioned east-west quarter quarter section line a distance of 300.00 feet to the point of beginning.

R-1 to R-3

All that portion of the southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the northeast corner of the southeast quarter of the southeast quarter of said Section 15; thence North $89^{\circ} 20' 41''$ West along the east-west quarter quarter section line of said Section 15 a distance of 300.00 feet; thence North $0^{\circ} 01' 26''$ East parallel to the east line of said Section 15 a distance of 145.00 feet; thence South $89^{\circ} 20' 41''$ East parallel to the aforementioned east-west quarter quarter section line a distance of 300.00 feet to the aforementioned east line of Section 15; thence South $0^{\circ} 01' 26''$ West along said east line of Section 15 a distance of 145.00 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 15-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1967, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Robinson, Shastid, Simon, Smith

NOES: Councilmen: Davies

ABSENT: Councilmen: Mitchell

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY Russell A. Jay
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 June, ¹⁹⁶⁷~~1966~~, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Mitchell

APPROVED *Lee H. Davies*
~~XXXXXXXXXXXXXXXX~~ Mayor
LEE H. DAVIES,

ATTEST: *W. T. Chynoweth*
~~XXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,

EFFECTIVE DATE: July 25, 1967

**Ordinance 835 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION 4-4.201 OF ARTICLE 2 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE; AMENDING ARTICLE 5 OF CHAPTER 4 OF TITLE IV; AND ADDING SECTIONS 4-4.606, 4-4.607 AND 4-4.608 TO ARTICLE 6 OF CHAPTER 4 OF TITLE IV, RELATING TO SUBDIVISION REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-4.201 of Article 2 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.201. TERMS AND WORDS. Except as otherwise provided in this Section, all terms used in this chapter which are defined in the Subdivision Map Act are used in this chapter as so defined, unless from the context hereof it clearly appears that a different meaning is intended.

(a) "Shall" is mandatory. May is permissive.

(b) "Owner" is the individual firm, association, syndicate, co-partnership or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this chapter, and while used here in the masculine gender and singular number it shall be deemed to mean the feminine and neuter gender and plural number wherever required.

(c) "Subdivider" shall mean any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under this chapter to effect a division of land hereunder for himself or for another and while used in the masculine gender and singular number it shall be deemed to mean and include the feminine or neuter gender and the plural number wherever required.

(d) "Subdivision" shall mean improved or unimproved land or lands divided or proposed to be divided into five (5) or more parts less than twenty (20) acres in size for the purpose of sale or lease whether immediate or future.

(e) "Lot" shall mean a parcel or portion of land separated from other parcels or portions by description as on a subdivision or record of survey map or by metes and bounds for purpose of sale, lease, or separate use.

(f) "Parcel Map" shall refer to a map recorded or proposed to be recorded for the division of improved or unimproved land or lands into four (4) or fewer lots or parcels for the purpose of sale or lease or financing or separate use, whether immediate or future.

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

SEC. 4-4.501. APPROVAL REQUIRED FOR PARCEL MAPS. No lot or lots or parcels of land shall be split or divided into four (4) or fewer parcels without first obtaining approval by the Planning Commission of a tentative parcel map and the subsequent recording of a final parcel map at the office of the County Recorder after certification by the City Engineer in accordance with the provisions of this article and of Division 4, Part 2, Chapter 2, Article 6, beginning at Section 11575 of the Business and Professions Code of the State of California.

SEC. 4-4.502. TENTATIVE PARCEL MAPS. (a) Filing and Department Approval. The legal owner of record, or his authorized representative, desiring the reparceling of any lot or lots or parcels of land under the provisions of this article shall file fifteen (15) copies of a tentative parcel map with the Planning Commission at least fifteen (15) days prior to the meeting of the Commission at which consideration is desired. Acceptance, distribution, and departmental action on such maps shall be in accordance with the provisions of Section 4-4.01 relating to tentative subdivision maps.

(b) Form of Maps. Tentative parcel maps shall be eighteen (18") inches by twenty-six (26") inches in size. Maps shall be to a scale of one inch equals one hundred (100') feet for large areas, or to a scale of one inch equals fifty (50') feet for small areas where practical. Every tentative parcel map shall be clearly and legibly reproduced and shall contain the following information:

(1) Date, north point, scale and sufficient description to define the location and boundaries of the proposed reparceling.

(2) Name and address of record owner or owners.

(3) Name and address of the subdivider, if other than owner.

(4) Name and business address of the person who prepared the map, if other than owner.

(5) Locations, names and existing width of all adjoining and contiguous highways, streets and ways.

(6) Locations and size of all pipe lines and structures used in connection therewith.

(7) Location and character of all existing public utilities.

(8) Location and character of all existing and proposed street improvements.

(9) The widths, location and purpose of all existing and proposed easements.

(10) Method of serving individual parcels to be created with utilities.

(11) Lot layout, dimensions of each lot, and lot designations.

(12) The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines.

(c) Requirements for Approval. If the tentative map complies with all of the requirements of this article and of Division 4, Part 2, Chapter 2, Article 6, beginning at Section 11575 of the Business and Professions Code of the State of California, the Planning Commission may approve the division, subject to the dedication of necessary right-of-way for streets and easements, the installation of all improvements along the frontages of the property so divided, as required by the Commission, and the installation of all necessary utilities and connections to each lot. All lot sizes shall conform to the provisions of the zoning regulations of the City of Modesto.

(d) Security. If the Planning Commission approves the tentative map, it may grant the subdivider a period of time after the recording of the final map in which to complete the installation of the public improvements required by the Commission to be installed as a condition of approval of the map. If such a time period is granted, the Commission shall require improvement security to be posted in one of the forms set forth in subsection (b) of Section 4-4.605.

SEC. 4-4.503. FINAL PARCEL MAPS. (a) Filing Within Eighteen (18) Months of Tentative Approval. The subdivider or his agent may file a final parcel map with the City Engineer for his examination and certification within eighteen (18) months after the approval or conditional approval of the tentative map. A one year extension of the tentative map may be granted by the Planning Commission if they determine that conditions affecting the parcel split and improvements required as a condition of the parcel split have not substantially altered. Such final parcel map shall be prepared by a registered civil engineer or licensed land surveyor and shall substantially conform to the tentative parcel map and conditions thereto as approved by the Planning Commission.

(b) Checking and Recording Fees. A tracing of the final parcel map shall be filed with the City Engineer together with a checking fee as established by the City Council. In addition to the checking fee, an amount equal to that required by the County Recorder for recording the map shall be paid to the City at the time of filing the final parcel map.

(c) Form of Final Parcel Map. The final parcel map shall conform to the provisions of Section 4-4.602 for final subdivision maps where applicable. The final parcel map may be compiled from record data available when sufficient survey information exists on filed maps and when the location of any boundary of the parcel map, either by monuments or possessory lines, is certain. In any case the parcel map may be based upon a field survey made in conformance with the land surveyors' act.

(d) Approval by City Engineer. Upon receipt of the final parcel map, together with the checking and recording fees, and any required improvement security, the City Engineer shall examine the same to determine whether

said map is technically correct and substantially conforms with the tentative map and with all changes and requirements imposed as conditions of approval by the Planning Commission. The City Engineer shall also refer the final parcel map to the Secretary of the Planning Commission for examination and determination if all of the lots and parcels created by said map conform with the requirements of the zoning regulations of the City of Modesto. If the City Engineer shall determine that the final parcel map fully conforms with all of the requirements set forth herein, he shall so certify on said map.

(e). Certification by City Engineer. Upon certification by the City Engineer, the final parcel map shall be transmitted to the City Clerk who shall cause said map to be recorded in the office of the County Recorder.

SEC. 4-4.504. ISSUANCE OF BUILDING PERMITS. No building permit shall be issued for the construction of any building, structure or other work on any parcel proposed to be created until a final parcel map has been approved in accordance with the provisions of this article and of Division 4, Part 2, Chapter 2, Article 6, beginning at Section 11575 of the Business and Professions Code of the State of California, and recorded in the office of the County Recorder.

SECTION 3. AMENDMENT OF CODE. The following sections are hereby added to Article 6 of Chapter 4 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-4.606. PRELIMINARY SOIL REPORT. Prior to the submission of the final subdivision map, the subdivider shall file with the Chief Building Official a preliminary soil report, prepared by a civil engineer who is registered by the State of California, based upon adequate test borings or excavations of every subdivision, as defined in Sections 11535 and 11535.1 of the Business and Professions Code of the State of California. The preliminary soil report may be waived if the Chief Building Official shall determine that, due to the knowledge of the building department as to the soil qualities of the subdivision, no preliminary analysis is necessary.

SEC. 4-4.607. SOIL INVESTIGATION. If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soil investigation of each lot in the subdivision shall be prepared by a civil engineer who is registered by the State of California. The soil investigation shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the expansive soil. The report shall be filed with the Chief Building Official.

SEC. 4-4.608. APPROVAL OF SOIL INVESTIGATION. The Chief Building Official shall approve the soil investigation if he determines that the recommended corrective action is likely to prevent structural damage to each dwelling to be constructed on each lot in the subdivision. Appeal from such determination shall be to the City Council. The building permit shall be conditioned upon the incorporation of the approved recommended corrective action in the construction of each dwelling.

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 Bee, the official newspaper of the City of Modesto.

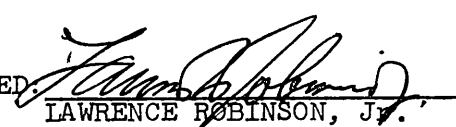
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1967, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen; Mitchell, Shastid, Siman, Vice Mayor
Robinson

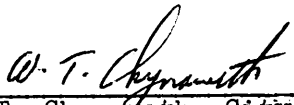
NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Smith, Mayor Davies

APPROVED:


LAWRENCE ROBINSON, Jr.
Vice Mayor

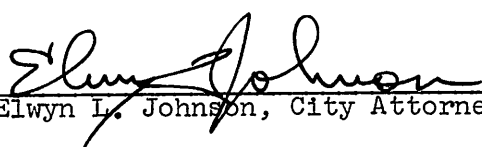
ATTEST:


W. T. Chynoweth, City Clerk

(SEAL)

APPROVED AS TO FORM:

By


Elwyn L. Johnson, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th-day of July, ¹⁹⁶⁷~~1966~~, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Mitchell, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Robinson

APPROVED *Lee H. Davies*
~~LEE H. DAVIES~~ Mayor
LEE H. DAVIES,

ATTEST: *W. T. Chynoweth*
~~RENEE GADLICK~~ City Clerk
W. T. CHYNOWETH

EFFECTIVE DATE: August 4, 1967

SECTION 3. ZONING MAP. Section Map 21-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1967, by Councilman Simon, 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: Robinson, Shastid, Simon, Mayor Davies

NOES: Councilmen: Smith

ABSENT: Councilmen: Hughes, Mitchell

ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,
(SEAL)

APPROVED: Lee H. Davies
~~XXXXXXXXXXXXXXXXXXXX~~ Mayor
LEE H. DAVIES,

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Philip W. Jones
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 10th-day of July, 1966⁶⁷, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED Lee H. Davies
~~XXXXXXXXXXXX~~ Mayor
LEE H. DAVIES

ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,

EFFECTIVE DATE: August 9, 1967

Ordinance 837 C.S.
Exhibit A – Map

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

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

WHEREAS, a petition was filed with the City Clerk by
Charles M. Gargotto

on May 3, 1967, 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 WOODROW 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 22nd day of May, 1967, set said petition for hearing at the hour of 7:45 o'clock P.M. on the 26th day of June, 1967, 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 Bee, a newspaper published in the City of Modesto on May 25, 1967, and on June 1, 1967; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on May 29, 1967, and on June 5, 1967, 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,

8/6/65
-1-

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, the Stanislaus County Local Agency Formation Commission did on April 26, 1967, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to ~~SECTION 24764~~ the Government Code, and

WHEREAS, on the 26th day of June, 1967, at the hour of 7:45 o'clock P.M., in the Council Chambers at the City Hall, 801 - 11th 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 WOODROW NO. 2 ADDITION, 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 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 Southeastern corner of the WOODROW ADDITION (174), as per description filed March 23, 1965, as Instrument 11330, Stanislaus County Records, said point being on the Northern line of the NORTH WOOD ESTATES ADDITION (156), as per description filed May 14, 1963, as Instrument 18497, Stanislaus County Records, and on a line parallel with and 20 feet, measured at right angles, Southerly from the center line of Woodrow Avenue and the East-West quarter quarter section line of Section 8; thence along the existing City Limits and the Eastern line of the Woodrow Addition, North $1^{\circ} 13'$ West, 888.80 feet, to the Northeastern corner of the Woodrow Addition; thence along the Easterly extension of the Northern line of the Woodrow Addition, South $89^{\circ} 35'$ East, 251.70 feet; thence South $1^{\circ} 20'$ East, 889.22 feet, to a point on the quarter quarter section line and the Northern line of the North Wood Estates; thence along said Northern line and the existing City Limits, North $89^{\circ} 30'$ West, 253.52 feet, containing 5.155 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1967, by Councilman Robinson, 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: Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Hughes, Mitchell

APPROVED: Lee H. Davies
~~XXXXXXXXXXXXXXXXXXXX~~ Mayor
LEE H. DAVIES,
ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
(SEAL) W. T. CHYNOWETH
APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney
APPROVED AS TO DESCRIPTION: Public Works Department
8/6/65

AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO PRE-
ZONING CERTAIN PROPERTY LOCATED THEREON.
(WAINWRIGHT REALTY)

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Wainwright Realty on March 30, 1967, to prezone to 1-family zone, R-1, 2-family zone, R-2, and multiple-family zone, R-3, the hereinafter described property, and

WHEREAS, after public hearings held on May 2, 1967 and June 6, 1967, it was found and determined by the Planning Commission that pre zoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 67-53, adopted on June 6, 1967, the Planning Commission recommended to the Council that the application of Wainwright Realty to amend Section 16-3-9 of the Zoning Map to prezone the hereinafter described property to 1-family zone, R-1, 2-family zone, R-2, and multiple-family zone, R-3, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested pre zoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 16-3-9 of the Zoning Map is hereby amended to prezone the following described property to 1-family zone, R-1, 2-family zone, R-2, and multiple-family zone, R-3:

To R-1

All that portion of the North half of the Southeast quarter of Section 16, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

BEGINNING at a point that bears West 25 feet, South 615.318 feet and North 88° 37' West, 160.85 feet from the quarter corner common to Sections 15 and 16, in said Township and Range; thence North 88° 37' West, 256 feet to a point; thence South parallel to the West line of Coffee Road; 200 feet to a point; thence South 88° 37' East, 256 feet to a point that bears West 25 feet, and South 815.318 feet and North 88° 37' West, 160.85 feet from the quarter corner common to Sections 15 and 16; thence North and parallel to the West line of said Coffee Road, 200 feet to the point of beginning.

To R-2

All that portion of the North half of the Southeast quarter of Section 16, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

BEGINNING at a point which bears West 25 feet, South 615.318 feet and North 88° 37' West 416.85 feet from the quarter corner common to Sections 15 and 16 of said Township and Range; thence North 88° 37' West, 362.1876 feet, more or less to the Northeast corner of the property conveyed to Oather M. Cheves and wife, by Deed recorded February 11, 1948, as Instrument No. 3295; thence South 0° 1' East, and along the East line of said Cheves property, 615.5358 feet to the Southeast corner thereof; thence South 88° 39' East, 618.1876 feet more or less along the centerline of Norwegian Avenue to a point that is North 88° 39' West, 185.85 feet from the centerline of Coffee Road; thence North parallel to and distant, 185.85 feet West of the centerline of Coffee Road, 20 feet to the North line of Norwegian Avenue; thence North and parallel to the West line of said Coffee Road, 415.32 feet to a point that bears West 25 feet, South 615.318 feet, North 88° 37' West, 160.85 feet and South, 200 feet from the quarter corner common to Sections 15 and 16; thence North 88° 37' West, 256 feet; thence North 200 feet to the point of beginning.

To R-3

All that portion of the North half of the Southeast quarter of Section 16, Township 3 South, Range 9 East, M.D.B. & M., more particularly described as follows:

BEGINNING at a point 615.318 feet South of the quarter corner common to Sections 15 and 16, of said Township and Range; thence West 25 feet to a point on the westerly line of Coffee Road; thence North 88° 37' West, 160.85 feet to a point; thence South, parallel to, and distant 160.85 feet from said westerly line, 615.32 feet more or less to the centerline of Norwegian Avenue; thence South 88° 39' East along said centerline, 160.85 feet, to a point; thence East 25 feet to the centerline of said Coffee Road; thence North along said centerline, 615.32 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 16-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1967, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, CITY ATTORNEY

APPROVED AS TO DESCRIPTION:

BY Philip W. Jones
PLANNING DEPARTMENT

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 10th day of July, 1966, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon
Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
~~XXXXXXXXXXXXXXXXXXXX~~, Mayor
LEE H. DAVIES

ATTEST: *W. T. Chynoweth*
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH

EFFECTIVE DATE: August 9, 1967

**Ordinance 839 C.S.
Exhibit A – Map**

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

AN ORDINANCE ADDING SECTION 10-2.1513 TO ARTICLE 15 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO THE REQUIREMENT FOR STREET TREES.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.1513 is hereby added to Article 15 of Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.1513. REQUIREMENT FOR STREET TREES. As a condition of approval of planned-development zones, variances, unclassified use permits, conditional use permits, and H-1 zone use permits, it is the policy of the City of Modesto to require street trees to be planted and maintained along the street frontages of the affected properties. In order to insure that such street trees conform to the City of Modesto Street Tree Plan, and that they are properly planted and maintained, whenever street trees are required as a condition of approval of a planned-development zone, variance, unclassified use permit, conditional use permit, or H-1 zone use permit, the applicant shall pay to the City of Modesto a sum for each street tree required. Such sum shall be established by resolution of the City Council adopted from time to time. Upon the payment of such sum, the City shall be responsible for planting and maintaining such street trees.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1967, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH,
City Clerk

(SEAL)
APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of July, 1967, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Mitchell, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Robinson

APPROVED *Lee H. Davies*
~~DETERKUXCHONANSEN~~ Mayor
LEE H. DAVIES

ATTEST: *W. T. Chynoweth*
~~REEREGDGGDELEFCG~~ City Clerk
W. T. CHYNOWETH

EFFECTIVE DATE: August 4, 1967

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

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

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE, from Sycamore to McHenry	25 miles per hour
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
BRIGGSMORE, from Tully Road to the westerly city limits	35 miles per hour
CARPENTER ROAD, between California and Maze	40 miles per hour
CARPENTER ROAD, between the southerly city limits at the Tuolumne River and Robertson Road	<u>35 miles per hour</u>
CARVER ROAD, from Evergreen Street north to the northerly city limits	25 miles per hour
CENTER STREET, entire length in city	25 miles per hour
COFFEE ROAD, Scenic Drive to M.I.D. Lateral #3	30 miles per hour
COFFEE ROAD, M.I.D. Lateral #3 to 200 feet north of Floyd Avenue	35 miles per hour

COLLEGE AVENUE, between Durant and Rumble	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EL VISTA, within the city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
ENCINA, Covena to Santa Ana	25 miles per hour
ENSLER, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LEGION PARK ROAD, between Santa Cruz and Conejo	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in city	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in city	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
OLD OAKDALE ROAD, Scenic Drive to north city limits	30 miles per hour

ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
ORANGEBURG AVENUE, Martin to Prescott	25 miles per hour
PRESCOTT ROAD, Briggsmore to Rumble	25 miles per hour
ROBLE AVENUE, Santa Ana to Rosina	25 miles per hour
ROSE AVENUE, Scenic Drive to 400 feet north of Kruger Avenue	30 miles per hour
ROSE AVENUE, 400 feet north of Kruger to Eloyd Avenue	35 miles per hour
RUMBLE ROAD, between Tully and Tidewater Southern Tracks	25 miles per hour
RUMBLE ROAD, between Highgate and the east city limits	25 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STANDIFORD AVENUE, Tidewater Southern Railroad to McHenry Avenue	35 miles per hour
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
TULLY ROAD, between Rumble and the northerly city limits	35 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WOODROW AVENUE, within the city limits	25 miles per hour
WRIGHT, from Sycamore to McHenry	25 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to south city limits	40 miles per hour
9TH STREET, from north end of Tuolumne River Bridge to D Street	30 miles per hour
9TH STREET, from P Street to Tully Road	35 miles per hour
9TH STREET, from Tully Road to north city limits	50 miles per hour

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1967, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of July, 1967, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Mitchell, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Robinson

APPROVED *Lee H. Davies*
~~PETER CARL JOHANSEN~~, Mayor
LEE H. DAVIES,

ATTEST: *W. T. Chynoweth*
~~FREDERICK CHALDRON~~ City Clerk
W. T. CHYNOWETH,

EFFECTIVE DATE: August 4, 1967

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1968,
AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 1967-68 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 1967-68", presented by the City Manager to the City Council at its meeting held May 1, 1967, 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, 1968, 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 between departmental capital budgets budgeted within the same capital fund; and to transfer and expend funds from the Contingency Reserve of the General Fund for specific purposes.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1967, by Councilman Robinson, who moved its introduction and adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

AN ORDINANCE ADDING SECTION 4-1.604 TO ARTICLE 6 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO COIN OPERATED MUSIC DEVICES IN RESIDENTIAL AREAS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-1.604 is hereby added to Article 6 of Chapter 1 of Title IV of the Modesto Municipal Code to read as follows:

SEC. 4-1.604. Coin Operated Music Devices - Where Permitted. It shall be unlawful for any person whether as owner, principal, employee, servant, agent or guest to operate or cause or permit to be operated any coin operated commercial type phonograph or music device, including a juke box, in or upon any residential property in the City of Modesto. For the purpose of this section, "residential property" means any property in the City of Modesto that is zoned for residential use, as set forth in Title X of this Code.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 5th day of July, 1967, 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, Mitchell, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)
APPROVED AS TO FORM:
ELWYN L. JOHNSON, City Attorney

By Robert C. Bienvenu
ROBERT C. BIENVENU, Assistant

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 17th day of July, 1966⁶⁷, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Shastid, Simon

APPROVED Lee H. Davies
~~LEE H. DAVIES~~, Mayor
LEE H. DAVIES

ATTEST: W. T. Chynoweth
~~W. T. CHYNOWETH~~, City Clerk
W. T. CHYNOWETH

EFFECTIVE DATE: August 16, 1967

AN ORDINANCE AMENDING SECTIONS 4-4.801 AND 4-4.802 OF ARTICLE 8 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO IMPROVEMENTS IN SUBDIVISIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-4.801 of Article 8 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.801. Standards and Approval. All improvements shall conform to the requirements contained in the Standard Plans and Specifications of the City of Modesto prepared by the City Engineer, recommended by the Planning Commission, and adopted by the Council as the same now exists or may hereafter be amended. Copies of said Standard Plans and Specifications shall be maintained on file in the offices of the City Clerk, Planning Commission and City Engineer.

SECTION 2. AMENDMENT OF CODE. Section 4-4.802 of Article 8 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.802. General Requirements. The subdivider shall install improvements in accordance with the standards specified in this Chapter and in the standard specifications.

(a) Streets and Alleys. All streets and alleys shall be improved in accordance with the requirements of the standard specifications referred to in Section 4-4.801 hereof.

(b) Structures. Structures or conduits shall be installed, as deemed necessary by the City Engineer, for drainage, access and/or public safety. Such structures and conduits shall be placed to grades and shall be of a design and size approved by the City Engineer.

(c) Curbs and Gutters. Curbs and gutters shall be installed to grades, cross section, layout and location approved by the City Engineer.

(d) Sidewalks. Sidewalks shall be installed along all streets and may be required in other locations where sidewalks are deemed necessary by the Planning Commission.

(e) Sewage Disposal. (1) Sanitary sewer facilities connecting with the existing City system shall be installed to serve each lot when connection to such system is available. Sewers shall be installed to grades, location, design and sizes approved by the City Engineer in accordance with the provisions of applicable laws of the City.

(2) When connection to a sanitary system is not available, septic tanks may be permitted for lots of not less than nine thousand (9,000) square feet in area, providing that a letter is submitted from the City Health Officer prior to approval of the tentative map certifying that field investigation has shown that ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and sizes as shown on the map of the proposed subdivision.

(f) Water. Water mains connecting with the existing City or public utility system shall be installed to serve each lot when connection to such system is available. In the latter case, when it is proposed that water will be supplied by a private water company, the subdivider shall submit a letter from the governing body of such water system showing the ability of the system to serve the proposed subdivision and evidence that a satisfactory agreement has been entered into for connection to that system. Water mains shall then be installed to grades, location, design and sizes approved by the City Engineer and the engineer of the governing body of the water system.

(g) Street Lights. (1) Street lighting standards, underground cables or conduit and conductors and all materials and appurtenances necessary shall be installed of a design and location approved by the City Engineer. There shall be at least one electrolier at each intersection, and intermediate electroliers not more than three hundred thirty (330') feet apart in blocks exceeding three hundred thirty (330') feet in length. Where a cul-de-sac is longer than one hundred fifty (150') feet measured from the center of the turnaround at the end of the cul-de-sac to the center line of the intersecting street, an electrolier shall be provided at the turnaround in a location approved by the City Engineer.

(2) When street lighting is installed or furnished by the subdivider pursuant to subsection (1) above, the City may share in the cost of perimeter street light whenever any street light so installed is located in a street bordering the subdivision and land adjacent to the subdivision is or may be benefited by said street light. The portion of the cost of each such street light which would ordinarily, because of such benefit, be borne by others may be advanced by the City.

(3) Advances of perimeter street light costs for undeveloped land by the City shall be made on the basis that said costs will be recovered by the City from the subdivider of the undeveloped land at the time the subdivider files the final map for such subdivision.

(h) Railroad Crossings. Provisions shall be made for any and all railroad crossings necessary to provide access to or circulation within the proposed subdivision, including the preparation of all documents necessary for application to the California State Public Utilities Commission for the establishment and improvement of such crossing. The cost of such railroad crossing improvement shall be borne by the subdivider.

(i) Street Signs. Each subdivider shall pay to the City at the time of approval of the final map as condition of such approval the sum of Twenty-Five and no/100ths (\$25.00) Dollars for each street sign required in the subdivision; provided, that when only a part of an intersection requiring a street sign is within or contiguous to the subdivision, the charge for street signs for such intersection shall be proportional to the number of corners of the intersection within or contiguous to the subdivision.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 5th day of July, 1967, 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, Shastid, Simon, Smith,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

APPROVED: 
LEE H. DAVIES, Mayor

APPROVED AS TO FORM:

ELWYN L. JOHNSON, City Attorney

By 
ROBERT C. BIENVENU, Assistant

ATTEST:

By 
W. T. CHYNOWETH, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 17th day of July, 1967, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Shastid, Simon

APPROVED Lee H. Davies
~~FREDERICK JOYNT~~, Mayor
LEE H. DAVIES

ATTEST: W. T. Chynoweth
~~FREDERICK JOYNT~~ City Clerk
W. T. CHYNOWETH,

EFFECTIVE DATE: August 16, 1967

AN ORDINANCE ADDING SECTION 6-1.227 TO ARTICLE 2 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICIPAL CODE RELATING TO LIMITED AMBULANCES.

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

SECTION 1. AMENDMENT OF CODE. Section 6-1.227 is hereby added to Article 2 of Chapter 1 of Title VI of the Modesto Municipal Code to read as follows:

SEC. 6-1.227. Limited Ambulances. Every person who operates, conducts or carries on the business of operating limited ambulances for hire on the streets of the City, shall pay a license tax in the sum of Twenty and no/100ths (\$20.00) Dollars for each vehicle per quarter.

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 to July 1, 1967.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1967, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Shastid, Simon

APPROVED: Lee H. Davies

LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson

ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 24th day of July, ¹⁹⁶⁷~~1966~~, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon and Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Smith

APPROVED Lee H. Davies
~~PERCY W. CHRISTENSEN~~ Mayor
LEE H. DAVIES

ATTEST: W. T. Chynoweth
~~PERCY W. CHRISTENSEN~~, City Clerk
W. T. Chynoweth,

EFFECTIVE DATE: August 23, 1967

AN ORDINANCE ADDING CHAPTER 9 ENTITLED "LICENSING AND REGULATION OF LIMITED AMBULANCES" TO TITLE III OF THE MODESTO MUNICIPAL CODE.

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

SECTION 1. AMENDMENT OF CODE. Chapter 9 entitled "Licensing and Regulation of Limited Ambulances" is hereby added to Title III of the Modesto Municipal Code to read as follows:

CHAPTER 9

LICENSING AND REGULATION OF LIMITED AMBULANCES

SEC. 3-9.01. Definition. "Limited Ambulance" means any privately owned vehicle used for non-emergency transporting of those who are sick or injured and the fees for the use of which are paid for by California Medical Assistance Program. Such vehicles shall be capable of carrying those who are ambulatory or confined to a wheelchair. No service for stretcher cases is to be provided.

SEC. 3-9.02. Permit Required. No person shall engage in the business of operating a limited ambulance upon the streets of the City without first obtaining a permit as provided in this chapter and paying the business license fees provided in Title VI.

SEC. 3-9.03. Application for Permit. An applicant for a limited ambulance operator's permit shall file his application with the Director of Finance, which application shall be signed and verified by the applicant, and accompanied by the fee required and shall set forth the following:

- (a) Name, business, and residence address of the applicant.
- (b) The fictitious name, if any, under which said applicant does business and proposes to do business.
- (c) The number, type, age, condition and patient capacity of each limited ambulance proposed to be operated by the applicant, stating the make, year of manufacture and special equipment installed or proposed to be installed in each such limited ambulance.
- (d) The color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate the limited ambulance or limited ambulances of the applicant.
- (e) The schedule of rates proposed to be charged for the limited ambulance service.
- (f) The experience of the applicant in the transportation and care of injured and sick persons.

SEC. 3-9.04. Filing Fee. An application as required by this chapter shall be accompanied by a filing fee of Fifty and No/100ths (\$50.00) Dollars, to cover administrative and other costs incident to such application.

SEC. 3-9.05. Investigation of Application. Before any application is acted upon by the Council, the City Manager shall cause the Chief of Police to make an investigation and shall report his findings, in writing, to the Council on the following:

- (a) The number, kind and type of equipment and the color scheme to be used.

(c) The ability, experience and responsibility of the applicant.

SEC. 3-9.06. Issuance of Limited Ambulance Operator's Permit. Upon receiving the report of the City Manager, the Council shall authorize granting the applicant a permit if it finds:

(a) That the vehicles described in the application and proposed to be used are appropriate for the purpose of carrying or transporting injured or sick persons.

(b) That the color scheme, insignia, name, monogram or other distinguishing characteristics proposed to be used upon such limited ambulances is not in conflict with and does not imitate any color scheme, insignia, name, monogram or other distinguishing characteristics used by any other person, in such manner as to mislead or tend to mislead, deceive, or defraud the public.

(c) That the applicant is fit, willing and able to perform limited ambulance service and to conform to the provisions of this chapter, and such rules and regulations as may be promulgated by the Council. In making such findings, the Council shall take into consideration the character, experience and responsibility of the applicant.

SEC. 3-9.07. Form of Limited Ambulance Operator's Permit. The Council, by resolution, may authorize a limited ambulance operator's permit to the person or persons entitled thereto by having complied with the requirements of this chapter, and all the requirements of this chapter having been met; and the Council in its discretion shall determine the total number of limited ambulances which may be operated under such permit. The permit when issued shall state the name and address of the applicant, the number of limited ambulances that may be operated under said permit, and the date of issuance thereof. No permit authorized hereunder shall be issued to any person who shall not have fully complied with all the requirements of this chapter.

SEC. 3-9.08. Posting of Limited Ambulance Operator's Permit. Each limited ambulance operator to whom a permit has been issued shall cause an authenticated copy of the permit to be posted on the dashboard of each limited ambulance in a position clearly visible, or in some other area approved by the Chief of Police.

SEC. 3-9.09. Liability Insurance. No permit for the operation of a limited ambulance shall be issued, nor shall such permit be valid after issuance, nor shall any limited ambulance be operated unless there is at all times in force and effect to provide adequate protection against liability for damages which may be or have been imposed for each negligent operation of each such limited ambulance, its driver, or attendant a liability insurance policy or policies approved by the City Clerk and issued by an insurance company authorized to do business in the State of California.

Such policy or policies shall provide protection against liability of the permittee of a limited ambulance for the payment of damages in amounts, at least, as follows:

In the amount of One Hundred Thousand and no/100ths (\$100,000.00) Dollars on account of bodily injuries to, or death of, one person;

In the amount of Three Hundred Thousand and no/100ths (\$300,000.00) Dollars against the total liability of the licensee on account of bodily injuries to, or death of, more than one person as a result of any one accident;

destruction of property, whether the property or one of more than one claimant.

A liability insurance policy required by this section shall insure to the benefit of any persons who shall be injured or who shall sustain damage to property proximately caused by the negligence of the permittee insured by such policy, his employees or agents.

Satisfactory evidence that the liability insurance required by this section is at all times in full force and effect shall be furnished the City Clerk by each permittee required to provide such insurance.

The policy of insurance shall contain a provision against cancellation except upon ten (10) days prior written notice thereof to the City Clerk.

SEC. 3-9.10. Transfer of Permit. No permit for the operation of a limited ambulance may be sold, assigned, mortgaged, or otherwise transferred without the consent of the Council.

Application for transfer of any permit for a limited ambulance shall be subject to the same terms, conditions, and requirements as is the application for an original permit.

SEC. 3-9.11. Suspension and Revocation of Limited Ambulance Permit. The Council may at any time revoke, suspend or change a permit granted the limited ambulance operator after proper notice to and opportunity of hearing given to the owner thereof if he fails to operate a limited ambulance authorized hereunder in accordance with the provisions of this chapter as now constituted or as the same may be hereafter amended.

SEC. 3-9.12. Surrender of Suspended or Revoked Permit. All permits which have been suspended or revoked by the Council shall be surrendered to the Chief of Police and the operation of all limited ambulances covered by such permits shall cease and the continued operation thereof shall thereafter constitute a violation of this chapter.

SEC. 3-9.13. Replacement of Limited Ambulances. Except as otherwise provided in accordance with Section 3-9.10 hereof, whenever an owner sells or transfers title to a limited ambulance for which a permit has been granted, and within thirty (30) days after such sale or transfer, said owner purchases other limited ambulances, the Chief of Police, as a matter of right, upon written request of applicant within thirty (30) days of such purchase, shall issue a new permit for the operation of no greater number of limited ambulances than those sold or transferred, provided said owner has complied with all the provisions of this chapter. No replacement limited ambulance shall be put into operation before a permit covering its operation has been obtained as required by this section.

SEC. 3-9.14. Destruction of Limited Ambulances. Any owner whose limited ambulance for which a permit has been granted has been destroyed in any manner, will as a matter of right, upon written application to the Chief of Police within thirty (30) days after such destruction, be issued a new permit for the operation of no greater number of limited ambulances than those so destroyed provided said owner has complied with all the provisions of this chapter.

SEC. 3-9.15. Additional Vehicles. Any person holding a permit to operate one or more limited ambulances as provided in this chapter, who desires to add to the number of such vehicles, shall do so only by obtaining a permit therefor from the Council which shall be granted only upon application made in the same manner and under the same proceedings as are required in the instance of obtaining the original permit as required by this chapter.

passengers than the rated seated capacity of his vehicle.

SEC. 3-9.17. Substitute Vehicles. Any person holding a permit to operate one of more limited ambulances as provided in this chapter, who desires to substitute a different vehicle for a vehicle operated under such permit, shall do so only upon obtaining from the Chief of Police permission therefor, which shall be granted only upon written application setting forth the particulars of such proposed substitution and upon otherwise complying with the requirements of this chapter.

SEC. 3-9.18. Number. Each limited ambulance shall bear a number on the outside of the vehicle at such places and of the type and design prescribed by the Chief of Police.

SEC. 3-9.19. Inspection of Limited Ambulances. Before a permit is issued to any owner, the limited ambulance for which such permit is requested shall be delivered to the office of the Chief of Police, who shall inspect such limited ambulance and its equipment to ascertain whether such limited ambulance complies with the provisions of this chapter.

SEC. 3-9.20. Right of Entry. The Chief of Police, or any member of the Police Department, shall have the right at any time after displaying proper identification, to enter into or upon any certificated limited ambulance for the purpose of ascertaining whether or not any of the provisions of this chapter are being violated.

SEC. 3-9.21. Maintenance and Inspection of Records. Each person granted a permit to engage in the business of operating any limited ambulance within the City pursuant to the provisions of this chapter shall maintain detailed records of all receipts and expenditures received and incurred in the operation of such business. The City, its officers and employees shall be entitled to inspect, audit, and copy such books and records at all reasonable times.

SEC. 3-9.22. Driver's Permit Required. It shall be unlawful for any person to drive or operate any of the vehicles mentioned in Section 3-9.01 of this Code without first obtaining a permit in writing so to do from the Chief of Police.

SEC. 3-9.23. Application Blank. Applicants for such permits shall file applications therefor with the Chief of Police, upon blanks to be furnished by the City. Applicants for drivers' permits shall pay to the Director of Finance a fee of Three and no/100ths (\$3.00) Dollars for each application. A copy of the receipt for fees paid, shall be filed with the Chief of Police.

In the event a person who has obtained a permit to drive a limited ambulance pursuant to this chapter thereafter terminates his employment as a limited ambulance driver, no permit fee shall be required for such person to obtain a new limited ambulance driver's permit if the application for the new permit is made within one year from the date of the termination of his immediate prior employment as a limited ambulance driver.

SEC. 3-9.24. Information Required. Said permit shall be in the form of a card which shall bear signature, photograph and fingerprints of the applicant. Such card shall be issued in duplicate and one copy with the fingerprints, photograph and signature of the applicant shall be placed on file with the Chief of Police of the City and the other card shall be carried on the driver's person at all times during which the limited ambulance is operated.

SEC. 3-9.25. Police Investigation of Applicant: Traffic and Police Record. The Police Department shall conduct an investigation of each applicant for a limited ambulance driver's permit and a report of such investigation and a copy of the traffic and police record of the applicant,

SEC. 3-9.26. Consideration of Application. The Chief of Police shall, upon consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the Council to offer evidence why his application should be reconsidered.

SEC. 3-9.27. Eligibility for Permit. No permit shall be issued to any of the following persons:

- (a) Any person under the age of twenty-one (21) years.
- (b) Any person not a citizen of the United States or who has not lawfully declared his intention to become such.
- (c) Any person who has been convicted of a crime involving moral turpitude or narcotics.
- (d) Any person who has been convicted of driving a vehicle recklessly within the two (2) years immediately preceding application for a permit.
- (e) Any person who has been convicted of driving a vehicle while under the influence of intoxicating liquors within the five (5) years immediately preceding application for a permit.
- (f) Any person not possessing a valid Class 2 driver's license issued by the State of California.
- (g) Any person not possessing an adequate knowledge of first aid.

SEC. 3-9.28. Knowledge of Regulations. Each applicant for a permit may be examined as to his knowledge of the provisions of this chapter, traffic regulations and first aid by a person designated by the Chief of Police. If the result of the examination is unsatisfactory, he shall be refused a permit.

SEC. 3-9.29. Revocation and/or Renewal of Drivers' Permits. The Chief of Police may revoke or refuse to renew a driver's permit if the driver or applicant has since the granting of the permit:

- (a) Been convicted of a felony or a crime involving moral turpitude; pandering; using, possessing, selling or transporting narcotics; or imparting information for obtaining narcotics.
- (b) Been convicted of driving recklessly or while under the influence of liquors or narcotics.
- (c) Had his State driver's or Class 2 driver's license revoked or suspended.
- (d) Had two (2) or more convictions of any of the offenses set forth in the Vehicle Code of the State of California and amendments thereto relating to speeding violations, or any combination of any of such offenses, occurring during any continuous period not exceeding twelve (12) months.
- (e) When for any reason, including or other than the above, in the opinion of the Chief of Police, the applicant is unfit to drive a limited ambulance.
- (f) Violated any of the provisions of this chapter.

SEC. 3-9.30. Termination of Employment. It shall be the duty of the owner of each limited ambulance company to notify the Chief of Police in writing within five (5) days whenever a driver has either voluntarily or unvoluntarily terminated employment.

SEC. 3-9.31. Supplemental Regulations. The provisions of this chapter shall be deemed as supplemental to the provisions of Title VI relating to the business license tax and any other pertinent laws or ordinances of the City.

SECTION 2. RETROACTIVE APPLICATION. This ordinance shall apply to any person or persons who already operate a limited ambulance business within the City of Modesto. Said person or persons shall file an application pursuant to the provisions of this ordinance within ten (10) days after its effective date and obtain a limited ambulance operator's permit.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 19 67, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Shastid, Simon

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 24th-day of July, ¹⁹⁶⁷~~1966~~, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon and Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Smith

APPROVED *Lee H. Davies*
~~PETER JOHNSON~~ Mayor
LEE H. DAVIES,

ATTEST: *W. T. Chynoweth*
~~REX E. GALLAGHER~~, City Clerk
W. T. CHYNOWETH,

EFFECTIVE DATE: August 23, 1967

AN ORDINANCE AMENDING SECTION 4-4.502 OF ARTICLE 5 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO SUBDIVISION REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-4.502 of Article 5 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.502 TENTATIVE PARCEL MAPS. (a) Filing and Departmental Approval. The owner or his authorized representative, desiring the reparceling of any lot or lots or parcels of land under the provisions of this article shall file fifteen (15) copies of a tentative parcel map with the Planning Commission at least fifteen (15) days prior to the meeting of the Commission at which consideration is desired. Acceptance, distribution, and departmental action on such maps shall be in accordance with the provisions of Section 4-4.01 relating to tentative subdivision maps.

(b) Form of Maps. Tentative parcel maps shall be eighteen (18") inches by twenty-six (26") inches in size. Maps shall be to a scale of one inch equals one hundred (100') feet for large areas, or to a scale of one inch equals fifty (50') feet for small areas where practical. Every tentative parcel map shall be clearly and legibly reproduced and shall contain the following information:

- (1) Date, north point, scale and sufficient description to define the location and boundaries of the proposed reparceling.
- (2) Name and address of record owner or owners.
- (3) Name and address of the subdivider, if other than owner.
- (4) Name and business address of the person who prepared the map, if other than owner.
- (5) Locations, names and existing width of all adjoining and contiguous highways, streets and ways.
- (6) Locations and size of all pipe lines and structures used in connection therewith.
- (7) Location and character of all existing public utilities.
- (8) Location and character of all existing and proposed street improvements.
- (9) The widths, location and purpose of all existing and proposed easements.
- (10) Method of serving individual parcels to be created with utilities.

(12) The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines.

(c) Requirements for Approval. If the tentative map complies with all of the requirements of this article and of Division 4, Part 2, Chapter 2, Article 6, beginning at Section 11575 of the Business and Professions Code of the State of California, the Planning Commission may approve the division, subject to the dedication of necessary right-of-way for streets and easements, the installation of all improvements along the frontages of the property so divided, as required by the Commission, and the installation of all necessary utilities and connections to each lot. All lot sizes shall conform to the provisions of the zoning regulations of the City of Modesto.

(d) Security. If the Planning Commission approves the tentative map, it may grant the subdivider a period of time after the recording of the final map in which to complete the installation of the public improvements required by the Commission to be installed as a condition of approval of the map. If such a time period is granted, the Commission shall require improvement security to be posted in one of the forms set forth in subsection (b) of Section 4-4.605.

(e) Requirement for Street Trees. As a condition of approval of parcel maps, it is the policy of the City of Modesto to require street trees to be planted and maintained along the street frontages of the affected properties. In order to insure that such street trees conform to the City of Modesto Street Tree Plan, and that they are properly planted and maintained, whenever street trees are required as a condition of approval of a parcel map, the applicant shall pay to the City of Modesto a sum for each street tree required. Such sum shall be established by resolution of the City Council adopted from time to time. Such sum shall be paid at the time of filing the final parcel map. Upon the payment of such sum, the City shall be responsible for planting and maintaining such street trees.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1967, by Councilman Shastid, who moved

Secorded by Councilman: Robinson
call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Simon, Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. Chynoweth, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 14th day of August, 1967, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, MAYOR

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 13, 1967

AN ORDINANCE AMENDING SECTION MAP 7-3-9 & / ¹⁸⁻³⁻⁹ OF THE
 ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
 CERTAIN PROPERTY LOCATED THEREON. (McMULLEN)

WHEREAS, a verified application for an amendment to
 Section s 7-3-9 & / ¹⁸⁻³⁻⁹ of the Zoning Map was filed by Dale McMullen
 _____ on June 1
19 67, to reclassify from One-Family Residential Zone,
R-1, to Two-Family Residential Zone, R-2,
 the hereinafter described property, and

WHEREAS, after public hearing held on July 18
19 67, it was found and determined by the Planning Commission
 that rezoning of the property as requested is required by public
 necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 67-72, adopted on
July 18, 19 67, the Planning Commission recommended
 to the Council that the application of Dale McMullen
 _____ to amend Sections 7-3-9 & / ¹⁸⁻³⁻⁹ of the Zoning
 Map to reclassify the hereinafter described property from One-
Family Residential Zone, R-1, to Two-Family Residential
 Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing,
 this Council finds and determines that the requested rezoning
 is in accordance with the general plan and will serve the public
 health, safety and general welfare and provide the economic and
 social advantages resulting from orderly, planned use of land
 resource.

SECTION 2. ZONING CHANGE. Sections 7-3-9 & / ¹⁸⁻³⁻⁹ of the
 Zoning Map ^{are} ~~is~~ hereby amended to reclassify the following described
 property from One-Family Residential Zone, R-1,
 to Two-Family Residential Zone, R-2:

Renee Manor Unit Number 1, Block 13203, Lot 13 as per map filed for record in the office of the County Recorder of Stanislaus County on November 27, 1962, in Volume 20 of Maps, page 34, Stanislaus Records. Including also, the easterly 30 feet of Secrest Drive and the northerly 30 feet of Rumble Road adjacent to the above described property.

SECTION 3. ZONING MAP. Sections 7-3-9 & 18-3-9 of the Zoning Map of the City of Modesto ~~is~~ ^{are} 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) days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1967, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Lee H. Davies
~~FREDERICK ROBINSON~~, Mayor
LEE H. DAVIES

ATTEST: W. T. Chynoweth
~~W. T. CHYNOWETH~~, City Clerk
W. T. CHYNOWETH
(SEAL)

APPROVED AS TO FORM:
BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
BY Russell J. Fey
Planning Department

**Ordinance 848 C.S.
Exhibit A – Map**

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

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1967-68, AND REPEALING ORDINANCE NO. 809-C.S.

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

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

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1967, and ending June 30, 1968, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

- (a) Tax Code Areas No. 2-1; 2-2; 2-6; 2-7; 2-8; 2-9; 2-12; 2-16; 2-17; 2-18; and 2-19;

FOR THE GENERAL FUND	\$1.31
FOR THE BOND REDEMPTION AND INTEREST FUND.	\$.02

- (1) Municipal Improvement Bonds of 1947
 For the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year:

FOR THE PARK FUND.	\$.05
FOR THE LIBRARY FUND	<u>\$.09</u>
THE AGGREGATE OF SAID SUMS, TO WIT	\$1.47

- (b) Tax Code Areas No. 2-3; 2-4; 2-5

FOR THE GENERAL FUND	\$1.31
FOR THE PARK FUND.	\$.05
FOR THE LIBRARY FUND	<u>\$.09</u>
THE AGGREGATE OF SAID SUMS, TO WIT	\$1.45

SECTION 3. REPEALS. Ordinance No. 809-C.S. adopted by the Council of the City of Modesto on the 22nd day of August, 1966, is

heretby repealed.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1967, by Councilman Hughes, who moved its introduction and adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

AN ORDINANCE AMENDING SECTION 11-1.11 OF CHAPTER 1 OF TITLE XI OF THE MODESTO MUNICIPAL CODE RELATING TO RULES AND REGULATIONS FOR THE USE OF WATER IN THE CITY OF MODESTO.

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

Section 1. AMENDMENT OF CODE. Section 11-1.11 of Chapter 1 of Title XI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 11-1.11 RULES AND REGULATIONS. The following additional rules and regulations for the use of water are hereby established:

(a) Consumers on the flat or unmetered rate shall not be permitted to waste water. The City shall have the right, after notifying the occupant in writing of such waste, to install a meter at the consumer's expense, if waste continues.

(b) All water services installed shall have an independent wheel valve and an approved box and cover within two (2') feet of the City service valve, and a wheel valve where the service pipe enters the house and/or structure. No water distribution system shall be so connected so as to contaminate the City water supply either by cross connection or otherwise.

(c) Each dwelling must have a separate service from the City line and shall be separately charged therefor, except that two (2) or more dwellings on the same lot or adjoining lots as shown by the official map which are under the same ownership may be connected with the same meter service.

(d) Water bills for services on a flat rate shall be issued on a bi-monthly basis for water service in the months immediately preceding and following the first of the month in which they are issued. The water bills are due and payable upon presentation, and if they are not paid at the end of the month in which they are billed, they shall be considered delinquent. If they are delinquent for more than ten (10) days and a delinquent notice issued by the Director of Finance has been delivered to the user or posted on the premises, a delinquent charge of Two (\$2.00) Dollars shall be added to the regular service charges, and service shall be subject to being disconnected. If the water service is disconnected because of non-payment, the service shall not be reconnected until the amount of the delinquent bill including the delinquent charge of Two (\$2.00) Dollars and an additional Two (\$2.00) Dollar charge for reconnection is paid.

ing the date of the meter reading and shall be due and payable upon presentation. If the water bills are not paid at the end of the month in which they are billed, they shall be considered delinquent and the same procedure and charges as for the flat rate service shall apply.

(f) No person shall supply water in any way for use outside of the premises to which the service is assigned or appurtenant, unless by special permission from the Director of Public Works.

(g) The water charges herein specified will be charged against vacant or untenanted buildings unless notice of the vacancy and a request for discontinuance of service is made to the office of the City Finance Department.

(h) Access to service connection and water meters must be provided at all times.

(i) All persons must keep the service pipes in good order at their own expense and may be held liable for damages which may result from their failure to do so. When leaky faucets or fixtures are discovered and not immediately repaired, the water service may be withdrawn. A City inspector or authorized employee of the Water Department shall be admitted at all reasonable hours to all parts of any premises supplied with water, except the interior of dwellings, but including the meter box, to see that the regulations contained in this chapter are observed and complied with.

(j) It shall be unlawful for any person to interfere with the City service lines, valves or meters or to construct a by-pass around a meter or service.

(k) Owners of property will be held responsible for water used on their premises, although payments will be accepted from tenants. In case the tenants do not pay in accordance with the provisions of this chapter, the service may be disconnected and shall not be restored until the delinquent water charges, including the cost of water delivered as well as the cost of reconnecting service, shall have been paid.

(l) All unpaid accounts for water delivered at any premises shall be a lien against the real property.

(m) All sprinkler systems installed for the irrigation of lawns and flowers shall be so designed and installed that the water shall not be sprayed or permitted to be sprayed over or upon a sidewalk. Portable sprinklers will not be permitted on the sidewalk, nor may they be placed in such a manner as to spray the water upon sidewalks or so as to prevent pedestrians from using the sidewalks at all times without being struck or wet by the spray from the sprinkler.

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1967, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Robinson, Shastid, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Ord. No. 850 C. S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been 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 August, ~~1966~~¹⁹⁶⁷, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Mitchell, Robinson, Shastid, Simon, Smith
and Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes

APPROVED *Lee H. Davies*
~~FREDERICK JOHANSEN~~, Mayor
LEE H. DAVIES

ATTEST: *W. T. Chynoweth*
~~REX EXXGALLETT~~, City Clerk
W. T. CHYNOWETH,

EFFECTIVE DATE: September 20, 1967