

ORD #1 - 1905
to ORD #75 ^{mic} 1913

Ordinances
Jan. 13, 1905 - April 8, 1913

NOTE

ALL OF THESE
ORDINANCES WERE
REPEALED IN 1914
BY ORDINANCE
49 OF THE 1913
CODIFICATION OF
BEND ORDINANCES.

J. Sanchez
6/26/89

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of
O R D I N A N C E S
C I T Y of B E N D.

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ORDINANCE No. 1.

An Ordinance fixing the compensation and bond of the Recorder and defining his duties.

Be it ordained by the Common Council of the City of Bend:

*See Ord. 35
Ord. 35*
Section 1. The Recorder shall receive an annual salary of \$300, payable in monthly installments on the 15th day of each month, and shall not receive any other fee or compensation of any nature whatsoever.

Sec. 2. Before entering upon his duties the Recorder shall give a bond, with good and sufficient sureties to be approved by the Council, in the sum of \$500, payable in United States gold coin, conditioned upon the faithful performance of his duties as Recorder. The Mayor is hereby made custodian of said bond.

Sec. 3. All demands and accounts against the City shall be presented to the Recorder, with the necessary evidence in support thereof, and he shall audit the same and report them to the Council with all convenient speed, together with any suggestion or explanation which he may deem proper and pertinent. He shall draw warrants on the Treasurer for all demands and accounts ordered paid by the Council, provided money has been appropriated for that purpose, and not otherwise. Such warrants must be drawn on the special fund appropriated therefor or on the general fund, and be signed by the Mayor and attested by the Recorder.

*Amended
Ord. 35*
Sec. 4. The Recorder must issue all licenses authorized by the City Ordinances, upon the delivery to him of the receipt of the Treasurer for the amount of money required for such license.

Sec. 5. The Recorder shall keep proper books of account showing therein all sums appropriated and date thereof and out of what fund, the date and amount of all warrants drawn thereon and to whom payable, and all such matters and things as may be prescribed by Ordinance or be proper and necessary to a correct understanding of the City's finances.

Sec. 6. The Recorder shall make quarterly statements to the

Common Council, or at such other times as may be required by the Council, showing receipts and disbursements and the state of each particular fund, and also showing the cases tried before him and the judgments imposed and fines collected. Such statements shall be made at the first regular meeting of the Council in the months of January, April, July and October of each year.

Sec. 7. In the case of illness or temporary absence of the Recorder, the Mayor may designate to act as such any person having the qualifications of Justice of the Peace, who shall forthwith take the oath of office and perform the duties of Recorder during such temporary absence or inability of the Recorder to act. His compensation while temporarily acting as Recorder shall be deducted from the salary of the Recorder.

Attest:

J. M. Lawrence

Recorder.

Approved January 13, 1905.

A. H. Goodwillie

Mayor.

Passed by the Common Council January 10, 1905.

Published January 20, 1905.

ORDINANCE No. 2.

An Ordinance fixing the compensation and bond of the Treasurer and defining his duties.

Be it ordained by the Common Council of the City of Bend:

*See Ord. 23.
P. 53. Sec. 1.* Section 1. The Treasurer shall receive an annual salary of \$100, payable in quarterly installments on the first day of each quarter, and shall receive no other fee or compensation of any nature whatsoever.

Sec. 2. Before entering upon the duties of his office he shall execute a bond to the City of Bend in the sum of \$5000, payable in United States gold coin, with such surety company as the Council may approve, conditioned upon the faithful performance of his duties as Treasurer. The premium on said bond shall be paid out of the General fund.

Sec. 3. It shall be the duty of the Treasurer to make a quarterly exhibit to the Council, setting forth the amount of money received from taxation or otherwise and specifying from what source such moneys were received, and showing the amount paid out from each fund during the quarter, and the balance of money or other property remaining in his hands at the close of the quarter. He shall accompany such exhibit with a schedule of all warrants paid by him during the quarter, specifying the amount and number of each and the fund out of which such warrants were paid. Said exhibit shall be made and filed with the Recorder on or before the third day of January, April, July and October of each year.

Sec. 4. It shall be the duty of the Treasurer to cancel every warrant paid by him by marking across the face of same the word "Paid" and the date of payment, either in writing or by a stamp, and said warrants so cancelled shall accompany each quarterly exhibit.

Sec. 5. All warrants drawn upon the Treasurer shall be paid in the order of their presentation.

Sec. 6. After the quarterly exhibit, as provided for in section 3 of this Ordinance, shall have been examined and approved by the Common Council, a certified copy of the same shall be published at least once in the newspaper doing the City's printing. It shall be the duty of the Recorder to provide for such publication.

Attest:

J. M. Lawrence
Recorder.

Approved January 13, 1905.

A. H. Goodwillie
Mayor.

Passed by the Common Council January 10, 1905.

Published January 20, 1905.

ORDINANCE No. 3.

An Ordinance fixing bond and compensation of Marshal and authorizing employment of police officers.

Be it Ordained by the Common Council of the City of Bend:

Section 1. The Marshal of Bend shall receive as full compensation for his services an annual salary of \$1, payable in advance.

Sec. 2. The Marshal shall, before entering upon the duties of his office, execute a bond to the City of Bend in the penal sum of \$500, payable in United States gold coin, with good and sufficient sureties to be approved by the Common Council, conditioned upon the faithful performance of his duties under the law.

Sec. 3. There may be appointed by the Mayor, subject to the approval of the Common Council, a regular police officer and such special policemen as may be required at any time for the preservation of public order. The regular policeman shall receive the sum of \$75 a month. All police officers shall hold office at the pleasure of the Common Council.

Sec. 4. No police officer shall, during the period of his service as such officer, engage for profit in any work or occupation other than that of policeman. Violation of this provision shall constitute cause for dismissal.

Sec. 5. There shall be kept in the office of the City Recorder a book in which shall be entered by the officer making arrests the name of every person arrested, the cause of arrest, and the date thereof. The Marshal shall render to the Council in writing a monthly statement setting forth the name of every person arrested during the calendar month preceding, and the cause of such arrest, and shall report on other matters which he may deem appropriate.

Attest:

J. M. Lawrence
Recorder.

Approved January 13, 1905.

A. D. Goodwillie
Mayor.

Passed by the Common Council January 10, 1905.

Published January 20, 1905.

ORDINANCE No. 4.

An Ordinance prohibiting the signature as surety by the Mayor, Recorder, Treasurer or any Alderman, of any bond required to be given by any officer of the City of Bend.

Be it ordained by the Common Council of the City of Bend:

*Amended
Ord. 31.*
That neither the Mayor, the Recorder, the Treasurer, nor any member of the Common Council shall sign as surety any bond which the City Ordinances or the Statutes of the State of Oregon require to be executed by persons holding office under said municipal corporation.

Attest:

J. M. Lawrence

Recorder.

Approved January 13, 1905.

A. J. Goodwillie

Mayor.

Passed by the Common Council January 10, 1905.

Published January 20, 1905.

ORDINANCE No. 5.

An Ordinance authorizing the Recorder to expend from the General fund a sum of money not exceeding twenty-five dollars for the purchase of such supplies as may be needed in the performance of his duties, and such supplies as may be needed by the Treasurer in the performance of said Treasurer's duties.

Be it ordained by the Common Council of the City of Bend:

That the Recorder be, and hereby is, authorized to expend from the General fund a sum of money not exceeding Twenty-five (25) Dollars for the purchase of such supplies and stationery as may be necessary for the proper performance of his duties, and for the purchase of such supplies and stationery as the Treasurer may need for the proper performance of his duties as Treasurer.

Attest:

J. M. Lawrence-----

Recorder.

Approved January 13, 1905.

W. H. Goodwillie-----

Mayor.

Passed by the Common Council January 10, 1905.

Published January 20, 1905.

ORDINANCE No. 6.

An Ordinance to license, tax, regulate and restrain barkeepers, saloon keepers, and dealers in spirituous, vinous or malt liquors, or fermented cider; barrooms, drinking shops or places where spirituous, vinous or malt liquors, or fermented cider, are kept for sale or in any manner disposed of; and the disposition thereof.

Be it ordained by the Common Council of the City of Bend:

*See ord. #20
R. H. Sec. 1.* Section 1. No person or persons shall in this City, directly or indirectly, in person or by another or otherwise, open, maintain, or carry on any saloon, barroom, drinking shop or any place where spirituous, vinous, or malt liquors or fermented cider are kept for sale or in any manner disposed of, or sell, barter, deliver or in any way dispose of for or on his or their or any other person's account, any spirituous, vinous or malt liquors or fermented cider, in any such place to any person or persons, or sell or barter to any person or persons any vinous, malt or spirituous liquors or fermented cider in any other place, without obtaining a license therefor in the manner hereinafter provided. Anyone violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than two hundred (200) dollars nor more than four hundred (400) dollars, or by imprisonment in the City Jail for not less than sixty (60) days nor more than two hundred (200) days, or both.

Sec. 2. The following persons shall not be entitled to take out a license provided for in this Ordinance: The keeper or proprietor of a bawdy house, or disorderly house, or house or place resorted to for the purpose of smoking opium, or the keeper or keepers, proprietor or proprietors, of any house or place, or barroom or drinking shop or saloon or hall, resorted to for the purpose of prostitution or frequented or visited by lewd or dissolute women; or the keeper or keepers, proprietor

or proprietors of any barroom or drinking shop or saloon conducted directly or indirectly in connection with any bawdy house or contrary to the laws of the State of Oregon, or the keeper or keepers of any place resorted to for the purpose of smoking opium, or persons who have been within a year convicted of the violation of this Ordinance, or who are not well disposed towards the good order and peace of society, and who are not of good moral character, and no license shall be granted to any such persons; and no license shall be granted to any person for the purpose of carrying on a saloon or for the sale of spirituous, vinous or malt liquors or fermented cider, within four hundred (400) feet of any schoolhouse or in any locality where the same is obnoxious to the residents in the vicinity.

*See Ord. 24
P. 54. sec. 1*

Sec. 3. No license shall be issued for a less period than one (1) year.

Sec. 4. It shall be the duty of the Mayor, and he is hereby authorized and empowered, to appoint a committee of three (3) members of the Common Council to be known as the Liquor License Committee, whose duty it will be to examine into and investigate all the applications and applicants for license under the provisions of this Ordinance. Said Committee, in order to properly investigate and determine the character of applicants, shall have power to administer oaths, examine witnesses and compel their attendance, and send for papers and documents.

Sec. 5. Any person or persons desiring a license under the provisions of this ordinance shall present in writing application therefor at a meeting of the Council ten (10) days before the issuance of such license, which application shall be referred to the Liquor License Committee by the Council. Said application shall state where the proposed business is to be conducted and the nature of such business.

If upon investigation said Committee shall be satisfied that such applicant is entitled to a license under the provis-

ions of this Ordinance, and that the place where it is proposed to carry on the said business is a proper place therefor, said Committee shall approve said application and file same with the Recorder.

If for any reason the said Committee, upon investigation, does not approve said application, it shall endorse thereon its reasons for such disapproval and file same with the Recorder.

Said Committee must make recommendation upon all applications, as above provided, within a period of at least five (5) days from the time when such application was by the Council referred to said Committee.

*Amended
Ord. 34* Before final action by the Council, as provided in the following paragraph of this section, shall be taken, the applicant for license shall cause a full and complete copy of said application to be published at least once in some newspaper having general circulation in the City, and shall file satisfactory proof of such publication, when made, with the Recorder. Such publication must precede the final action by the Council upon such application for license by a period of at least five (5) days.

The Council at its next meeting after the filing of the report of said Committee, shall act upon the application and the bond required by section 7 of this Ordinance, and may by resolution either grant or refuse a license, notwithstanding the approval or disapproval of said Liquor License Committee. If the license be granted, then when the applicant shall thereafter have presented to the Recorder the receipt of the Treasurer for the amount of fees for the license for the ensuing year, said license shall be issued as applied for, and not otherwise.

The Council may revoke a license at any time, in which case there shall be refunded to the licensee a sum of money which shall bear the same proportion to the total license paid by him as the unexpired term shall bear to the whole term for which the license

was issued.

See Ord. 24
Sec. 6. Every person to whom a license shall issue under the provisions of this Ordinance, shall pay into the City Treasury a license fee as follows:

If for the sale, barter or delivery of any spirituous, vinous or malt liquors or fermented cider, or all of them, in a saloon or barroom, or the barter or sale of any such liquors in any other place, the applicant shall pay the sum of six hundred (600) dollars per annum, payable in advance.

See Ord. 20
P. 46. Sec. 2.
Sec. 7. Every person applying for a license under this Ordinance to sell spirituous, vinous, or malt liquors or fermented cider, before securing such license shall execute to the City of Bend a bond in the penal sum of one thousand (1000) dollars, with two or more sufficient sureties to be approved by the Mayor, conditioned that said applicant shall not ~~violate~~ the provisions of section 8 of this Ordinance.

See Ord. #20
P. 45. Sec. 2.
Sec. 8. Any keeper or proprietor of any saloon, barroom or other place where wines, spirituous or malt liquors or fermented cider are sold, or kept for sale, who shall in his place permit any breach of the peace or disturbance of the public order or decorum by noisy or disorderly conduct when it is in his power to prevent the same, or shall sell or give or permit to be sold or given any intoxicating liquor to any person already intoxicated, or to any person under the age of majority, or during the voting hours of any election day, or shall at any time permit or employ any woman to act as waitress or bartender, or to sing or dance, or serve in any capacity in his said saloon or barroom, or who permits any infraction of the laws of the State of Oregon, or the smoking of opium or disorderly conduct, or any bawdy house to be carried on in such place or in connection therewith, shall, upon conviction, be fined not less than fifty (50) dollars nor more than two hundred (200) dollars, or by imprisonment not less than twenty-five (25) days nor more than one hundred (100)

days, or both, and shall forfeit any license which he may hold under the provisions of this Ordinance, and the bond provided for in section 7 of this Ordinance may be proceeded against.

Attest:

J. M. Lawrence

Recorder.

Approved January 13, 1905.

W. B. Goodwillie

Mayor.

Passed by the Common Council January 10, 1905.

Published January 2L, 1905.

ORDINANCE No. 7.

An Ordinance establishing the form in which liquor license shall be issued.

Be it ordained by the Common Council of the City of Bend:

That all licenses for the sale or disposition of liquor under the provisions of the Ordinance entitled "An Ordinance to license, tax, regulate and restrain barkeepers, saloon keepers and dealers in spirituous, vinous or malt liquors or fermented cider; barrooms, drinking shops or places where spirituous, vinous or malt liquors or fermented cider are kept for sale or in any manner disposed of; and the disposition thereof," shall be in the following form:

<p>LIQUOR LICENSE City of Bend</p> <p>Issued at Bend, Oregon,....., 190..</p> <p>..... having complied with the Ordinances of the City of Bend regulating the issuance of Liquor Licenses, and having filed in the office of the Recorder a receipt of the Treasurer for the sum of Six Hundred Dollars (\$600), said</p> <p>..... is hereby authorized and licensed to sell, during the year ending on the day of, 190.., Spirituous, Vinous and Malt Liquors and Fermented Cider at the premises known as situated street in the City of Bend.</p> <p>\$.....</p> <p style="text-align: right;">..... Recorder.</p> <p>THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE.</p>
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Attest:

J. M. Lawrence
Recorder.

Approved January 13, 1905.

A. H. Goddard
Mayor.

Passed by the Common Council January 10, 1905.

Published January 20, 1905.

ORDINANCE No. 8.

An Ordinance to protect the public health, to prevent the spreading of contagious, infectious and epidemic diseases, to provide for the appointment of a Committee on Health and to prescribe the duties of such Committee.

Be it ordained by the Common Council of the City of Bend:

Section 1. That the Mayor is hereby authorized and empowered to appoint a committee of three (3) members of the Common Council, to be known as the Committee on Health. The chairman of such committee shall be ex-officio Health Officer.

Sec. 2. The Committee on Health shall exercise general supervision over the health of the City, and enforce all measures necessary to promote the health and cleanliness thereof. It shall abate nuisances of every description on public and private property. It shall use all due measures to prevent the introduction or spread within the City of any malignant, contagious, infectious or epidemic disease, and remove, quarantine or otherwise dispose of any person or persons, clothing or effects, attacked with or having been exposed to such diseases, and shall adopt such rules and regulations as are necessary to prevent the introduction or spread of malignant, contagious or infectious diseases within the City. It shall make a report to the City Council of all its proceedings, of the sanitary condition of the City and the cleanliness thereof, and shall make such recommendations to said body as may improve the sanitary conditions of the City.

Sec. 3. It shall be the duty of the Committee on Health to employ a physician to enter any premises or examine any person within the corporate limits of Bend, whenever they shall have reason to believe therein exists any unreported case of smallpox, scarlet fever, typhus fever, diphtheria, measles or any other contagious or infectious disease mentioned in this Ordinance, or to certify the cause of death of any person, or

to advise said Committee in any matter relating to the health of the City. Such physician shall receive such compensation as the Committee on Health may consider reasonable, subject to the approval of the Council. It shall be the duty of the Committee on Health to close up any residence, street, alley or highway, or to use any other means which they may deem necessary to prevent the spread of any contagious disease.

Sec. 4. In case of the death of any person within the City, it shall be the duty of the attending physician within twelve hours thereafter (or, in his absence, a physician to be employed by the Committee on Health, immediately on receiving notice of his employment) to issue to the Health Officer a written certificate setting forth the date and cause of such death, and such other information about such deceased person as he may deem necessary or pertinent. On receipt of such certificate, filled out in the form to be prescribed and furnished by the Committee on Health, the Health Officer shall issue a permit for the removal from the City of the body of such deceased person.

Sec. 5. It shall be the duty of every physician, midwife, or head of a family, under whose charge any birth occur, to report same to the Health Officer before the last day of the month in which such birth occurs.

Sec. 6. For each birth, death, or case of infectious disease reported by the Health Officer to the State Board of Health as provided by State law, said Health Officer shall receive a fee of ten cents; and for each permit issued for the removal of the body of a deceased person as provided in section 4 of this Ordinance said Health Officer shall receive a fee of ten cents.

Sec. 7. Whenever any person residing in the corporate limits of Bend shall know there exists within his place or residence, or within his family, any person afflicted with any contagious, infectious or epidemic disease, he shall immediately notify the Committee on Health or the Marshal.

Sec. 8. Every physician having knowledge of the existence of any case of contagious, infectious or epidemic disease within Bend shall immediately make report thereof in writing to the Committee on Health or the Marshal, with such particulars as the case may require.

Sec. 9. The diseases referred to in the preceding sections shall include cholera, yellow fever, typhus fever, typhoid fever, diphtheria, smallpox, scarlet fever, measles, and such other contagious, infectious and epidemic diseases ^{as the Committee on Health} may from time to time decide to be of such character.

Sec. 10. Any person or physician who shall fail to comply with the provisions of sections 4, 5, 7, 8 and 9 of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than two nor more than ten dollars for each day of such neglect after having knowledge thereof as aforesaid.

Sec. 11. Whenever the Committee on Health shall be informed of the existence of any of any of the diseases set out in section 9, within the corporate limits of Bend, it shall be their duty to immediately cause to be displayed on the premises, so that it can be seen from the public streets abutting on said premises, a yellow placard in case of smallpox or cholera; a black placard in case of diphtheria; a red placard in case of scarlet fever, yellow fever, or typhus fever; a white placard in case of measles; said placards to be at least twelve inches square, with the name of the disease plainly printed thereon. Said placards shall be owned and furnished by the City.

Sec. 12. The quarantine placard as defined in section 11 of this Ordinance must be allowed to remain at least twenty days after scarlet fever and seven days after diphtheria is first reported, or such further time as the Committee on Health may designate, and such a length of time for other infectious or contagious diseases as the said Committee may prescribe and deem

necessary, and it shall be unlawful for any person to remove, cover up or in any way interfere with said placard without permission of the Committee on Health.

Sec. 13. No person who is or has been affected with any of the diseases named in section 9 shall be permitted to leave the house in which he or she resides or lodges, without permission of the Committee on Health, to be issued only on receipt of a certificate from the attending physician that all danger of communicating the disease has passed; and no person residing or lodging in a house wherein such a disease is present shall attend school, church or other public place, without permission of the Committee on Health. Twenty-eight days must have elapsed after the quarantine has been removed from places wherein scarlet fever has existed and seven days wherein diphtheria has existed, and said houses properly fumigated before persons therefrom shall be permitted to attend school.

Sec. 14. No person with whooping-cough, mumps or chicken-pox shall attend school.

No person living in a family where there is a case of smallpox shall attend school until the patient shall have passed the period of desiccation (falling off of scabs) and until the house has been properly fumigated.

No person living in a family where there is a case of measles shall attend school until one week after recovery, and until desquamation (peeling off skin) shall have ceased.

Sec. 15. The occupant, or in case the premises are unoccupied the owner, of any house, store, building or tenement in Bend, wherein any person may have been sick of smallpox, diphtheria, typhus or scarlet fever, shall, on the death or recovery of such person from such disease, forthwith destroy by burning or burying, or otherwise disinfect the clothes worn by such person during such sickness, together with the bedding, carpets, curtains, draperies, furniture, etc., and shall cleanse and purify the room

and house, store, tenement, or building in which such sick person was confined, and the Committee on Health shall see that the provisions of this section are strictly enforced.

Sec. 16. No person attending upon or otherwise coming in contact with any person affected with smallpox, diphtheria or scarlet fever in such manner or to such extent as to render her or him liable to communicate the disease, shall go upon any public street or in any way mingle with people not affected with said diseases.

Sec. 17. It shall be the duty of the Committee on Health to provide a place of residence, the necessaries of life, medical attendance and nurses for indigent persons within the corporate limits of Bend, who are afflicted with smallpox, cholera, diphtheria, scarlet fever, typhus fever, measles, or any other contagious or infectious disease named or set out in this Ordinance.

Sec. 18. No public funeral shall be held for any person who has died of scarlet fever, diphtheria, or any dangerous, contagious or pestilential disease, unless the casket containing the body has been first hermetically sealed.

Sec. 19. Whenever any person shall have died of smallpox, the corpse shall be buried within twelve hours after death, and shall not be removed from the building where such person shall have died until removed directly to place of burial, and shall not be taken to church, chapel, or other building, and it shall be unlawful for any person or persons to attend such funeral, excepting the near relatives of the deceased, pallbearers not exceeding four in number, a clergyman, undertaker and driver of the hearse.

Sec. 20. No person without a permit from the Committee on Health shall carry or remove from one building to another, or from any railway or other vehicle to any building, or through the public streets, any person sick of any of the contagious diseases mentioned or named in this Ordinance.

Sec. 21. No person owning or having control thereof, shall,

without written permit from the Health Officer, use or permit to be used, for the transportation of the body of any deceased person, any vehicle which is used for the transportation of passengers.

Sec. 22. The Marshal and every police officer shall be ex-officio Health Inspector, but without extra pay therefor. Should such officer observe any building, premises or street to be in a condition detrimental to the public health he shall immediately report the same to the Health Officer.

It shall be the duty of the Marshal, under the direction of the Committee on Health, to serve all notices required by this Ordinance and to prosecute all offenders against this Ordinance, upon direction of the Committee on Health: Provided, that this section shall not be construed to limit or qualify the duty of any person to prosecute offenders against the provisions of this Ordinance.

Sec. 23. Any person who violates, disobeys, neglects, or refuses to comply with any of the provisions of this Ordinance, or who refuses or neglects to obey any of the rules, orders, proclamations or sanitary regulations of the Committee on Health and the Marshal, or neglects or refuses to comply with, or who resists any officer or orders, or special regulations of said Committee on Health, shall upon conviction be punished by a fine in a sum (except as hereinbefore provided in section 10 of this Ordinance) not exceeding one hundred (100) dollars, or imprisonment in the City Jail for any term not exceeding fifty (50) days, or by both fine and imprisonment.

Attest:-

J. M. Lawrence
Recorder.

Approved January 30, 1905.

W. D. Goodwillie
Mayor.

Passed by the Common Council January 24, 1905.

Published February 3, 1905.

ORDINANCE No. 9.

An Ordinance to regulate the building of flues and chimneys and for the prevention of fires.

Be it ordained by the Common Council of the City of Bend:

Section 1. Every chimney or flue within the corporate limits of the City of Bend shall be of brick or stone at least four inches in thickness and be laid in good lime mortar. It shall be secured and extend below the surface of the roof or ceiling of the story of such building which it passes through, at least 20 inches, so as to afford sufficient space for a stove-pipe to enter such chimney without endangering the ceiling or wall. No chimney or flue shall be built which shall have any joist or timber resting on or entering into the same further than will leave at least six inches between the end or side thereof and the chimney or flue; such chimney or flue shall be well secured and shall extend at least three feet above the roof of the building to which it is attached, measuring from the highest point where such chimney or flue passes through such roof; no smoke pipe in any building with wooden or combustible floors or ceilings shall enter any flue, unless said pipe shall be at least one foot from either floor or ceiling, and in all cases where smoke pipes pass through wooden partitions of any kind they shall be guarded by a double cylinder of metal, with holes for ventilation therein, and to be at least two inches from any wood, paper or cloth. No stove pipe or smoke pipe shall pass through any window, side or roof of any building; no stove shall stand within one foot of any wall, except brick, unless such wall is protected with tin, zinc or sheet-iron; no smoke pipe shall pass nearer than one foot to any wall, except at right angles therewith in passing through the same.

Sec. 2. The members of the Committee on Police, Fire and Liquor License and the Marshal shall at all times have the right to enter and examine any building within the City, to discover violations of this Ordinance or to decide if flues and chimneys

heretofore built are sufficiently safe and secure; and if in the judgment of the Committee on Police, Fire and Liquor License any such flues or chimneys shall be deemed unsafe it shall be their duty to have the occupant, owner, or agent of the premises notified of the fact, and order that the same shall be immediately repaired; and if the parties so instructed and notified refuse or neglect to make the required repairs they shall, in addition to the fine imposed for violation of this Ordinance, be liable in the further sum of one dollar for each day such imperfect flue or chimney shall remain in use unrepaired, after notice shall have been given to repair same as above stated.

Sec. 3. The provisions of this Ordinance shall be held to apply to the owner, occupant or agent of every building which heretofore has been erected within the City of Bend, if after thirty days notice by the Marshal to such owner, occupant or agent all defects shall not have been remedied.

Sec. 4. Any person or persons found guilty of violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction before the Recorder shall be fined in any sum not exceeding one hundred (100) dollars, or by imprisonment for any term not exceeding fifty days, or by both fine and imprisonment.

Attest:

J. M. Lawrence
Recorder.

Approved January 30, 1905.

A. R. Goodwillie
Mayor.

Passed by the Common Council January 24, 1905.

Published February 3, 1905.

ORDINANCE No. 10.

An Ordinance authorizing and empowering The Deschutes Telephone Company, its successors and assigns, to construct, maintain and operate a system or systems of poles, wires and other apparatus and appliances necessary or convenient to the successful operation by it of a system of telephone and telegraph in the City of Bend, Oregon.

Be it ordained by the Common Council of the City of Bend:

Section 1. That The Deschutes Telephone Company, a corporation duly organized and existing under and by virtue of the laws of the State of Oregon, and its successors and assigns, are hereby authorized and empowered to construct, maintain and operate a system or systems of poles and wires and other apparatus and appliances necessary or convenient to the successful operation by it of a system of telephone and telegraph in the City of Bend, Crook county, Oregon, over, along and upon the streets avenues, alleys, highways and public grounds in the City of Bend, Crook county, Oregon.

Sec. 2. All of said poles, wires, apparatus and appurtenances shall be so constructed, operated and maintained that the same shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys, highways and public grounds, and said Company shall construct, make, replace and keep in order and repair, to the satisfaction of the Common Council of said City, all that part of said streets, avenues, alleys, highways and public grounds which it shall disturb or use in the construction, operation and maintenance of its said system or systems. In the event that said grantee shall fail and neglect to construct, make, replace, keep in order and repair all that part of said streets, avenues, alleys, highways and public grounds occupied or used by its system or systems as above set forth, then and in that event the said City of Bend shall have a right to construct, make, replace and keep the same in order and repair, and the expenses and costs thereof shall be paid by the said

grantee, its successors and assigns.

Sec. 3. The City of Bend, Oregon, shall not be liable in any manner to said grantee, its successors and assigns, for any injury that may be done to its poles, wires or other apparatus or appurtenances by reason of the breaking or overflowing of any water from any sewer or drain, or from the breaking of any gas or water pipe by reason of the change in any grade on any of the streets, avenues, alleys, highways or public grounds, or by reason of any other public work which may be done or made in said City. Said grantee, its successors and assigns, shall be liable for and shall hold and keep the said City free and harmless from any and all damage of any and every nature whatsoever which may accrue to persons or property by reason of the construction, maintenance or operation of said poles, wires, apparatus or appurtenances or any part thereof.

Sec. 4. This Ordinance shall take effect and be in force from and after its passage and its approval by the Mayor and legal publication, and the filing with the City Recorder of an acceptance of the terms of this Ordinance by the said grantee herein, to wit: The Deschutes Telephone Company.

Attest:

J. Lawrence
Recorder.

Approved January 31, 1905.

A. S. Goodwillie
Mayor.

Passed by the Common Council January 24, 1905.

Published February 3, 1905.

ORDINANCE No. 11

AN ORDINANCE AUTHORIZING AND EMPOWERING THE BEND WATER, LIGHT AND POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OR SYSTEMS OF PIPES AND OTHER NECESSARY OR CONVENIENT APPARATUS, APPLIANCES AND APPURTENANCES AS MAY BE NECESSARY OR CONVENIENT TO THE FURNISHING OF WATER TO THE CITIZENS OF THE CITY OF BEND, OREGON, AND TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OR SYSTEMS OF POLES, WIRES AND OTHER APPARATUS AND APPLIANCES NECESSARY OR CONVENIENT TO THE FURNISHING OF THE CITIZENS, BUILDINGS AND STREETS OF THE CITY OF BEND WITH ELECTRIC LIGHT AND ALSO FOR ELECTRIC POWER PURPOSES.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1. That The Bend Water, Light and Power Company, a corporation duly organized and existing under and by virtue of the State of Oregon, and its successors and assigns, are hereby authorized and empowered to construct, maintain and operate a system or systems of pipes and other necessary or convenient apparatus, appliances and appurtenances as may be necessary or convenient to the successful operation and maintenance of a system of water works for the purpose of supplying the citizens of Bend, Oregon, with water; and also the right and privilege to erect, maintain and operate a system or systems of poles, wires and such other apparatus, appliances and appurtenances as may be necessary or convenient to the successful furnishing of electric lights and electric power to the citizens, building, public buildings and streets of the City of Bend, Oregon, all of which said rights and privileges shall be over, along, upon and under the streets, avenues, alleys and public grounds of the City of Bend, Crook County, Oregon.

Section 2. All of said pipes, poles, wires, apparatus and appurtenances shall be so constructed, operated and maintained that the same shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys, highways and public grounds, and said Company shall construct, make, replace and keep in order and repair, to the satisfaction of the Common Council of said City, all that part of said streets, avenues, alleys, highways and public grounds which it shall disturb or use in the construction, operation and maintenance of its said system or systems. In the event that said grantee shall fail and neglect to construct, make, replace, keep in order and repair all that part of said streets, avenues, alleys, highways and public grounds occupied or used by its system or systems as above set forth, then and in that event the said City of Bend shall have a right to construct, make, replace and keep the same in order and repair, and the expenses and costs thereof shall be paid by the said grantee, its successors and assigns.

Section 3. The City of Bend, Oregon, shall not be liable in any manner to said grantee, its successors and assigns, for any injury that may be done to its pipes, poles, wires or other apparatus or appurtenances by reason of any other public work which may be done or made in said City. Said grantee, its successors and assigns, shall be liable for and shall hold and keep the said City free and harmless from any and all damage of any and every nature whatsoever which may accrue to persons or property by reason of the construction, maintenance or operation of said pipes, poles, wires, apparatus or appurtenances, or any part thereof.

Section 4. This Ordinance shall take effect and be in force from and after its passage and its approval by the Mayor and legal publication, and the filing with the City Recorder of an acceptance of the terms of this Ordinance by the said grantee herein, to wit: The Bend Water, Light and Power Company.

ATTEST:

/s/ J. M. Lawrence,
Recorder.

Approved January 31, 1905.

/s/ A. L. Goodwillie,
Mayor.

Passed by the Common Council January 24, 1905.
Published February 3, 1905.

ORDINANCE No. 11.

An Ordinance authorizing and empowering The Bend Water, Light and Power Company, its successors and assigns, to construct, maintain and operate a system or systems of pipes and other necessary or convenient apparatus, appliances and appurtenances as may be necessary or convenient to the furnishing of water to the citizens of the City of Bend, Oregon, and to construct, maintain and operate a system or systems of poles, wires and other apparatus and appliances necessary or convenient to the furnishing of the citizens, buildings and streets of the City of Bend with electric light and also for electric power purposes.

Be it ordained by the Common Council of the City of Bend:

Section 1. That The Bend Water, Light and Power Company, a corporation duly organized and existing under and by virtue of the State of Oregon, and its successors and assigns, are hereby authorized and empowered to construct, maintain and operate a system or systems of pipes and other necessary or convenient apparatus, appliances and appurtenances as may be necessary or convenient to the successful operation and maintenance of a system of water works for the purpose of supplying the citizens of Bend, Oregon, with water; and also the right and privilege to erect, maintain and operate a system or systems of poles, wires and such other apparatus, appliances and appurtenances as may be necessary or convenient to the successful furnishing of electric lights and electric power to the citizens, buildings, public buildings and streets of the City of Bend, Oregon, all of which said rights and privileges shall be over, along, upon and under the streets, avenues, alleys and public grounds of the City of Bend, Crook county, Oregon.

Sec. 2. All of said pipes, poles, wires, apparatus and appurtenances shall be so constructed, operated and maintained that the same shall be no impediment to the ordinary use and occupation of said streets, ~~avenues~~, alleys, highways and public grounds, and said Company shall construct, make, replace and keep in order and repair, to the satisfaction of the Common Council of said City,

all that part of said streets, avenues, alleys, highways and public grounds which it shall disturb or use in the construction, operation and maintenance of its said system or systems. In the event that said grantee shall fail and neglect to construct, make replace, keep in order and repair all that part of said streets, avenues, alleys, highways and public grounds occupied or used by its system or systems as above set forth, then and in that event the said City of Bend shall have a right to construct, make, replace and keep the same in order and repair, and the expenses and costs thereof shall be paid by the said grantee, its successors and assigns.

Sec. 3. The City of Bend, Oregon, shall not be liable in any manner to said grantee, its successors and assigns, for any injury that may be done to its pipes, poles, wires or other apparatus or appurtenances by reason of any other public work which may be done or made in said City. Said grantee, its successors and assigns, shall be liable for and shall hold and keep the said City free and harmless from any and all damage of any and every nature whatsoever which may accrue to persons or property by reason of the construction, maintenance or operation of said pipes, poles, wires, apparatus or appurtenances, or any part thereof.

Sec. 4. This Ordinance shall take effect and be in force from and after its passage and its approval by the Mayor and legal publication, and the filing with the City Recorder of an acceptance of the terms of this Ordinance by the said grantee herein, to wit: The Bend Water, Light and Power Company.

Attest:

J. M. Lawrence
Recorder.

Approved January 31, 1905.

A. F. Goodwillie
Mayor.

Passed by the Common Council January 24, 1905.

Published February 3, 1905.

ORDINANCE No. 12.

An Ordinance defining and providing for the punishment of disorderly conduct and certain other offences.

Be it ordained by the Common Council of the City of Bend:

Section 1. It shall be unlawful for any person or persons to interfere with, molest, abuse, threaten or resist any peace officer, or to refuse to assist him in the discharge of his duties, or by any means whatever to aid or assist any person in custody upon charge of a violation of a city ordinance in his endeavors to escape from such custody, whether such escape be effected or not, or to aid or assist any person to escape from lawful confinement.

Sec. 2. It shall be unlawful for any person, unless he be a duly commissioned officer, to assume to be a police officer or other officer of the city, or to take upon himself to act as such, or to wear the adopted uniform of the police force, or to wear upon the street a star similar in general appearance to the star adopted and used by the police force of the City of Bend.

Sec. 3. It shall be unlawful for any person except peace officers in discharge of their duty to carry any sling-shot, billy, dirk, pistol, or any concealed deadly weapon, or to discharge any fire arms, air gun, sparrow gun, flipper, or bean shooter within the corporate limits of the city, unless in self-defense or in protection of property; Provided, permission may be granted by the mayor to any person to carry a pistol or revolver when, upon proper representation, it appears to him necessary or prudent to grant such permission.

Sec. 4. It shall be unlawful for any person to lie or sleep on any of the streets, highways, alleys, sidewalks, parks, or other public places within the corporate limits of Bend; or to appear therein in such state of intoxication as to be unable to take proper care of himself or herself; or to disturb the peace and quiet of any person, family or neighborhood by drunkenness,

by making loud or unusual noises, by violent or obscene, profane, insulting or offensive language, by threatening, traducing, quarreling, fighting, or offering or challenging to fight, or by assaulting any person; or in any other way or manner whatsoever to disturb the peace, quiet and decency of any person or neighborhood.

Sec. 5. It shall be unlawful for any person or persons to keep a riotous or disorderly house or permit any riotous or disorderly conduct, or to use or allow the use of any obscene^{or profane} language in his house, yard, or premises connected with his house, or to be guilty of any riotous or disorderly conduct in any house, yard, or premises, whereby the peace, quiet or decency of any person or neighborhood may be disturbed.

Sec. 6. It shall be unlawful for any person to set up, open or cause to be opened, or keep any house as a resort for the purpose of smoking opium, or to sell or offer to sell any opium to any person for the purpose of smoking it within the corporate limits of Bend.

Sec. 7. It shall be unlawful for any person or persons to bargain for, buy or sell, give or take, smoke or cause to be smoked, any opium (except for medicinal purposes) and then only on a physician's prescription), within the corporate limits of Bend.

Sec. 8. It shall be unlawful for any person or persons to introduce or take into the city jail, or deliver to any prisoner confined therein, any wine, spirituous or malt liquors or fermented cider, or any opium, except on the prescription of a practicing physician.

Sec. 9. It shall be unlawful for any miner to loiter or remain around, about or in any saloon, barroom, or other place where spirituous, vinous, malt or intoxicating liquors are sold or kept for sale by the glass, or to engage in any game of cards, billiards or other games in such saloon, barroom or other place.

Sec. 10. It shall be unlawful for any proprietor, manager, keeper, or bartender of any barroom, drinking shop, saloon or place where liquors are sold, to allow or permit pianos or other musical instruments to be played in any such barroom, drinking shop, saloon or place where liquors are sold under his or their control, between the hours of 2 o'clock and 7 o'clock in the morning.

No proprietor, manager, keeper, or lessee of any show, theater or place of amusement, shall allow or permit pianos or other musical instruments to be played in any such show, place of amusement or theater under his or their control, between the hours of 2 o'clock and 7 o'clock in the morning.

Sec. 11. It shall be unlawful for any person to beat, torture, misuse, deprive of food or water, or otherwise cruelly treat any animal within the limits of the City of Bend.

Sec. 12. It shall be unlawful for any person within the corporate limits of the City of Bend to kill any robin, blackbird, tallow bird, pinion jay or song bird of any kind, or to offer for sale or other disposal any such bird, whether killed by himself or by any other person, or whether killed within the city limits or not; and it shall be unlawful for any person to purchase or receive any such bird that has been killed, either within or without the city limits.

Sec. 13. It shall be unlawful for any person to suffer or permit to go, or to lead, drive or ride, or to hitch any horse, mule or other beast of burden, or any hogs or cattle, upon any sidewalk within the corporate limits of the City of Bend.

Sec. 14. It shall be unlawful for any person or persons to hitch or fasten any animal to or otherwise destroy any growing or living shade or other ornamental tree, or any case or box around such tree, within the limits of the City of Bend.

Sec. 15. It shall be unlawful for any person to throw or cause to be thrown or deposited upon any street, sidewalk, high-

way, alley or public grounds, or upon any private premises, or anywhere except at such places as are designated by the Committee of Health, any ashes, paper, manure, glass, metals, nails, broken ware, dirt, straw, hay, rubbish, garbish or other filth.

Sec. 16. It shall be unlawful for any person to inter the body of any deceased person in any lot, place or premises within the corporate limits of the City of Bend.

Sec. 17. It shall be unlawful for any person or persons to build or assist in building bonfires within one hundred feet of any building within the corporate limits of the City of Bend.

Sec. 18. It shall be unlawful for any person to use the public sidewalks of the city for the purpose of packing or unpacking of goods of merchandise, or for the display of merchandise, or to leave any goods, merchandise, boxes, barrels, trunks or other articles upon any portion of the public streets or sidewalks, except while actually removing the same into or out of some building or enclosure, or loading the same into or out of some vehicle.

Sec. 19. It shall be unlawful for any person to play at ball or throw any stones or other missiles in any of the streets, highways or alleys of the city, or on any of the sidewalks of the City of Bend.

Sec. 20. It shall be unlawful for any person to place on any sidewalk, crosswalk, street or alley, any article or thing whatever except as provided in section 18, unless permitted to do so by the City Council; Provided that wood or fuel may be allowed to be piled and remain in the street in such manner as to cause the least obstruction to public travel, not to exceed twenty-four hours for each cord or load thereof, and not to exceed eight days in the aggregate, the debris from the same to be removed from the street or alley by the owner of said wood immediately after its removal.

Sec. 21. It shall be unlawful for any person owning or occupying property on any street, highway or alley in said city to allow said street in front of his property to be unclean, and it is hereby made the duty of the Marshal to notify such owner or

occupant when such uncleanliness exists, and on the failure of such owner or occupant to remove the nuisance, to have said street or alley cleaned at the expense of said property owner or occupant.

Sec. 22. It shall be unlawful for tenants, residents or householders, to allow slop or drainwater to flow into any street, highway or alley of said city.

Sec. 23. Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof before the Recorder shall be punished by a fine not exceeding two hundred dollars, or by imprisonment for any term not exceeding one hundred days, or by both fine and imprisonment.

Attest:



Recorder.

Passed at a regular meeting of the Council February 7, 1905, and not vetoed by the Mayor.

Published March 17, 1905.

ORDINANCE No. 13.

An Ordinance defining and punishing vagrancy.

Be it ordained by the Common Council of the City of Bend:

Section 1. The following persons are declared to be vagrants, and shall be subject to arrest and punished as in this ordinance provided, viz:

First. Every idle or dissolute person without visible means of support or living or a lawful occupation, who has ability to work, but who does not seek, or refuses to seek employment or labor, or refuses to labor when employment is offered.

Second. Every person who shall solicit sums as a business or be found begging the means of support.

Third. Every person who habitually roams about from place to place without any lawful business.

Fourth. Every person having no lawful means of support who shall be found loitering around railway depots, street corners, crowded thoroughfares, places of amusement, or saloons or wandering about the public streets at late or unusual hours of the night.

Fifth. Every person found or known to be lodging in any barn shed, shop, outhouse, uninhabited building or place, other than is kept for lodging purposes, or in the open air, without permission of the owner.

Sixth. Every person who frequents or stays in or about houses of ill fame, or who habitually associates with common prostitutes.

Seventh. Every common prostitute or person found on the public streets, or at the windows of any house soliciting prostitution.

Eighth. All persons who, being habitual drunkards, are destitute and without visible means of support, or being such habitual drunkards, shall abandon, neglect or refuse to aid in the support of their family and shall be complained of by such family, or by some responsible person knowing such to be the facts.

Sec. 2. Every person enumerated and described in section 1 of this ordinance, shall be deemed a vagrant, and upon conviction thereof before the Recorder, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city jail for not more than fifty days, or by both fine and imprisonment, and shall in addition pay the costs of prosecution.

Sec. 3. In all cases of prosecution under this ordinance,

(2)

common fame shall be taken to be evidence in support of the complaint and every house commonly known to be occupied or used for purposes of prostitution shall be taken and deemed to be a house of ill fame.

Sec. 4. It shall be the duty of the Marshal and all policemen or watchmen, either upon their own knowledge or belief, to arrest any person who is a vagrant, as defined in section 1 of this ordinance and bring him or her before the Recorder for trial.

Attest:

J. M. Lawrence

Recorder.

~~Approved February 8, 1905.~~

Mayor.

Passed by the Common Council February 7, 1905, and not vetoed by the Mayor.

Published February 10, 1905.

ORDINANCE No. 14.

An Ordinance to provide for the employment of persons confined in the city jail.

Be it ordained by the Common Council of the City of Bend:

Section 1. All persons confined in the city jail of Bend, under a judgement to pay a fine or of imprisonment, rendered in an action in the Recorder's court for violation of any ordinances of the city, shall be required to perform labor on the public streets, alleys, highways, promenades, parks, squares or public buildings or works of the city, under the supervision of the Marshal.

Sec. 2. Any prisoner employed as above provided who refuses to perform the work assigned to him, or escapes or attempts to escape while laboring, or going to or returning from such public work, shall be deemed guilty of a misdemeanor and upon conviction before the recorder, shall be punished by imprisonment not less than ten or more than fifty days.

Sec. 3. The Marshal shall procure and use such means as he may deem necessary for the security of all prisoners under his care, and may prescribe and administer such punishment as shall be necessary to keep good order among the prisoners, and compel them to do the work assigned them.

Attest:

J. M. Lawrence

Recorder.

Approved March 29 1905.

Mayor.

Passed by the Common Council February 14, 1905, *and not vetoed by the Mayor.*
Published February 24, 1905.

ORDINANCE No. 15.

An Ordinance to provide for the manner of constructing sidewalks.

Be it ordained by the Common Council of the City of Bend:

Section 1. All sidewalks hereafter constructed on Wall or Bond streets and all sidewalks hereafter constructed on Nevada, Oregon, Minnesota, Ohio and Kentucky streets between Wall and Bond streets shall be eight feet wide. All sidewalks on other streets shall be six feet wide.

Sec. 2. All sidewalks hereafter constructed in said city shall have a grade or fall towards the center of the street of one-fourth inch to each foot in width.

Sec. 3. All sidewalks when made of wood shall be of good sound yellow pine and shall correspond to the following specifications; All walks shall have two stringers two by six (2x6) inches and a curb two by twelve (2x12) inches, all to be set on edge and firmly bedded. The plank for cover shall be not to exceed eight inches in width and shall be dressed to or sized to not less than one and seven-eighths inches in thickness and shall be well spiked down to stringers and curb.

Attest:

J. M. Lawrence

Recorder.

Approved March 29 1905.

A. P. Goodwillie

Mayor.

Passed by the Common Council March 28, 1905.

Published March 31, 1905.

ORDINANCE No. 16.

An Ordinance regulating the Storage of high explosives.

Be it ordained by the Common Council of the City of Bend:

Section 1. It shall be unlawfull for any person to bring into or cause to be brought into, or receive, or have, or keep, or store, or suffer to remain in any portion of the city, within eight hundred feet of any dwelling house or place of business, any blasting powder, or nitro-glycerine, or dauline, or dynamite, or other explosive material or compound having an explosive power greater than that of ordinary gunpowder.

Sec. 2. It shall be unlawful for any person to keep or store or aid or assist any person in keeping or storing, any packages containing percussion or detonating caps in or about any building or premises where is kept or stored any blasting powder, nitro-glycerine, dauline, dunamite, or other explosive material or compound having an explosive power greater than that of ordinary gunpowder.

Sec. 3. The penalty of violation of this ordinance shall be a fine of not more than One Hundred Dollars (\$100) or imprisonment in the city jail not more than fifty days, or both fine and imprisonment.

Attest:

J. Lawrence

Recorder.

Approved March 29, 1905.

A. S. Goodwillie

Mayor.

Passed by the Common Council March 28, 1905.

Published March 31, 1905.

ORDINANCE No. 17.

An Ordinance providing for licensing, and regulating the carrying on of certain professions, trades, callings, and occupations within the corporate limits of Bend.

Be it ordained by the Common Council of the City of Bend:

Section 1. No person, firm, company or corporation shall be engaged in, prosecute, or carry on any trade, business or profession within the limits of the City of Bend, for which a license may be required by this ordinance, until he or they shall have obtained such a license. Any person, firm, company or corporation who shall carry on any trade, business or profession in this ordinance specified, without having first procured a license as to do shall be guilty of a misdemeanor and upon conviction before the Recorder shall be fined in a sum not exceeding one hundred dollars or shall be imprisoned for a term not exceeding fifty days, or may be punished by both fine and imprisonment, and the amount of such license shall be deemed a debt to the City of Bend, and such person, firm, company or corporation shall be liable to the City of Bend for the amount of such license.

Sec. 2. Every license taken out under or by virtue of this ordinance, shall contain and set forth the purpose, trade, business or profession for which said license is granted, and the name and place of abode of the person or persons taking out the same. Said license shall authorize the continuance of the business named therein at the place named therein for the term of such license. Any person exercising or carrying on any trade, calling, business, profession or doing any act for which a license is required, shall on demand of any city officer produce such license and unless he shall do so, shall be deemed to have no license and shall be liable to arrest, fine and imprisonment as provided in section 1 of this ordinance.

Sec. 3. In every case where more than one of the pursuits, employments or occupations for which a license is required, shall be pursued or carried on in the same place by the same person at the same time, license must be taken out for each, according to the rates severally prescribed.

Sec. 4. All licenses issued as quarterly licenses shall expire the last day of each quarter, viz: 31st day of March, 30th day of June, 30th day of September, and 31st day of December; but the first quarterly license issued to any person, agent, firm, or corporation shall be

dated from the first day of the month in which the liability therefor accrued, and shall be issued upon the payment of a suitable proportion of the whole amount of duty imposed for such license.

Sec. 5. All licenses required by this ordinance shall be paid in advance.

Sec. 6. * If any person shall furnish such evidence as shall satisfy the Mayor that he or she, by reason of misfortune or physical infirmity, merits exemption from the payment of any license herein required, the Mayor may remit such license for a period of not longer than one day and shall give said person a written permit, stating why such permit is granted a copy of which shall be filed with the City Recorder, before such permit shall be operative.

Sec. 7. Astrologers, soothsayers, seers and fortune tellers shall pay a license fee of two dollars per day or ten dollars per week.

Sec. 8. Auctioneers shall pay a license fee of three dollars per day or ten dollars per week. Every person shall be deemed auctioneer within the meaning of this ordinance whose business it is to offer property for sale at public outcry.

The provisions of this section, however, shall not apply to judicial or executive officers making auction sales by virtue of any decree of any court, or to public sales by executors or administrators of property of estates of people dying in Bend, or of residents of Bend, selling out their household goods and furniture.

Sec. 9. Hawkers shall pay a license fee of five dollars per day. Each and every person who shall offer any article for sale from a stand or wagon upon any street, public or open ground within the limits of the city, shall be deemed a hawker under this ordinance, and whenever more than one person shall sell or offer to sell from the same stand or wagon, each of such persons shall be required to take out the license herein provided for.

Sec. 10. Peddlers shall be classified and rated as follows: when traveling with two or more animals, first class; when traveling with one animal, second class; when traveling on foot, third class. Peddlers of the first class shall pay a license fee of ten dollars per week, or two dollars per day; peddlers of the second class shall pay a license fee of five dollars per week or one dollar per day; peddlers of the third class shall pay a license fee of three dollars per week or one dollar per day.

Any person, except persons peddling newspapers, bibles, and religious tracts, and farmers or persons peddling products of their own farms, gardens or milk ranches, (except otherwise excepted in this ordinance) who offer to sell at retail goods, wares, merchandise or other commodities while traveling from place to place within the City of Bend, shall be regarded as peddlers under this ordinance.

Amended Ord. 38 Sec. 11. Every person conducting a billiard, bagatelle or pool table, except only such as are used in private houses or private rooms, shall pay for each and every table a license fee of two and one-half dollar per quarter.

Added to Roller Skating Ord. 38 Every person conducting a bowling alley shall pay two and one-half dollars each for every alley, per quarter; every place where bowls are thrown, open to the public with or without price, shall be regarded as a bowling alley.

Every person owning or conducting a shooting gallery shall pay a license fee of ten dollars per quarter. Every place or building where guns or pistols are kept for shooting at targets, whether for hire or not, shall be considered a shooting gallery.

Every pawnbroker shall pay a license fee of three dollars per quarter.

Every second-hand dealer shall pay a license fee of three dollars per quarter.

Every junk dealer shall pay a license fee of three dollars per quarter.

Every person exhibiting a phonograph shall pay a license fee of one dollar per month for each phonograph.

Every patent medicine peddler or vender using music or other device to attract crowds shall pay a license fee of five dollars per day or fifteen dollars per week. All other patent medicine peddlers or venders two and one-half dollars per day.

Every person acting as artist, agent or canvasser, or who solicits for paintings, retouching or furnishing pictures of any description, or who solicits for orders for or sells books, albums or maps, shall pay a license fee of five dollars per week or two dollars per day, except persons selling bibles, newspapers and magazines and resident photographers and their agents.

Every person who shall sell or contract to sell any goods, wares, chattels or merchandise, by sample or order, for himself or any other person, or upon commission, shall pay a license fee of two dollars

per day, or ten dollars per week; provided, that this shall not apply to persons selling goods or taking orders for same from stores in Bend, or to persons in the employ of storekeepers in Bend, taking orders for goods in their stores.

Jugglers shall pay a license fee of three dollars for each performance, and every person who performs by sleight of hand shall be deemed a juggler under this ordinance.

The proprietors or agents of all other exhibitions, shows or theatrical performances for money or street fakers, not enumerated in this section, shall pay a license fee of two dollars per day or eight dollars per week; provided, however, that whenever the receipts for any theatre, concert, exhibition, lecture or entertainment is to be or will be chiefly appropriated to any church, school, religious or benevolent purpose within the City of Bend, there shall be no license charged to the person or persons conducting the same.

Sec. 12. Circuses shall be classified and rated as follows; When the price charged for admission including reserved seats is seventy-five cents or over, the first class; when the price charged for admission including reserved seats is less than seventy-five cents the second class. The proprietor or manager of every circus of the first class shall pay a license fee of twenty-five dollars for one performance, or forty dollars for two performances; for circuses of the second class, fifteen dollars for one performance, or twenty-five dollars for two performances. No circus, menagerie or show of any kind shall be allowed to parade upon or through any of the streets, alleys or highways of Bend without having first obtained the written permission of the Mayor so to do; such permit shall be granted by the Mayor only upon the written application of the manager or agent of such circus, menagerie or show, accompanied by either the license permitting such circus, menagerie or show to have a performance or the receipt of the City Treasurer showing that the amount required for such licenses has been paid.

Repealed Ord 350 Sec. 13. Any person or firm conducting a card room or billiard room in connection with which cigars, tobacco, notions or other merchandise is sold, shall in addition to the billiard license required to be paid for billiard tables, set out in section 11 of this ordinance pay to the City Treasurer the sum of ten dollars per quarter, and shall present with the receipt for same to the Recorder, a bond in the

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sum of five hundred dollars, with two sureties, to be approved by the Recorder, conditioned that applicant will not permit any unlawful gaming or disorderly conduct in or about said place of business, before license shall issue.

Attest:

J. Lawrence

Recorder.

Approved March 27 1905.

W. H. Goodwillie

Mayor.

Passed by the Common Council March 28, 1905.

Published March 31, 1905.

ORDINANCE No. 18.

An Ordinance to prescribe the method of giving notice of sidewalk construction.

Be it ordained by the Common Council of the City of Bend:

Section 1. That owners of real estate in Bend shall build sidewalk in front of their premises when required so to do by the Common Council. Notice of such requirement shall be served by the Marshal.

Sec. 2. Thirty days after due service of notice, if the sidewalk be not built, then the City shall construct such sidewalk, and the cost of such construction shall constitute a lien upon the abutting real estate, and shall be collected as are assessments for street improvements. Record of such lien shall be kept by the Recorder in a book to be known as a Docket of City Liens.

Sec. 3. Due notice of sidewalk construction mentioned in section 1 of this Ordinance shall be a written notice signed by the Recorder setting forth the order of the Council. It shall be served in the manner prescribed by law for the service of summons in civil action.

Attest:

J. M. Lawrence
Recorder.

Approved April 12, 1905.

A. L. Godwillie
Mayor.

Passed by the Common Council April 11, 1905.

Published April 14, 1905.

ORDINANCE No. 19.

To regulate the registry of dogs and to provide for the taking up, impounding and killing of dogs without license tags.

Be it ordained by the Common Council of the City of Bend:

Section 1. It is hereby declared unlawful for any person owning or having charge, care or control of any dog or slut over the age of six months, to permit or allow the same to run at large upon any street, alley, lot or other public place within the corporate limits of Bend, unless there shall be attached to such dog or slut a collar on which there shall be a tag, with an appropriate number, to be obtained from the City Treasurer as hereinafter provided; and it is hereby declared unlawful for any person to imitate or counterfeit said tag or plate on any dog or slut within the limits of Bend.

Sec. 2. The City Treasurer shall keep a register, wherein shall be entered the name of the owner of the dog, to whom a tag has been issued, the number and date of such tag and the sum paid therefor. The City Treasurer is hereby directed to procure the tags mentioned in section 1 of this ordinance, and annually to collect or receive from the owner of any male dog the sum of \$1.50 and from the owner of any female dog the sum of \$3, for each such tag. The annual time for issuing such tags as are herein provided for and the time when the rights under such tags shall expire shall be the first day of June of each year. No tag shall be issued for a less time than one year. The City Treasurer shall pay all moneys received for tags into the general fund.

Sec. 3. It shall be unlawful for any person to remove muzzle, collar or tag from any animal of the dog kind, except upon the consent or order of the owner or the person to whom the tag is issued; or to kill, maim, or injure such animal (except as provided for in this ordinance) for which a tag has been issued, as aforesaid, and to the collar of which such tag has been attached.

Sec. 4. It shall be the duty of the Marshal or the person whom the City Council of Bend may appoint as poundmaster, to take up and impound any dog found running at large, or upon the streets of Bend, not having a collar around his neck with tag mentioned in section 1 of this ordinance attached thereto, and if said dog shall not be redeemed as hereinafter provided within three days after such dog shall have been impounded, it shall be the duty of the Marshal or said

poundmaster to sell or caused to be sold such dog, or kill or cause to be killed such dog, and to have the same buried outside the city limits. The Marshal or said poundmaster shall receive from any person, any dog found running at large contrary to the provisions of this ordinance, and shall safely restrain each dog so delivered or taken up by himself for the term specified above. If any dog so impounded be not reclaimed by the owner of said dog within the three days specified, the Marshal or poundmaster shall offer the same for sale, and if no bid is offered at such sale said dog shall be killed and buried. If sold the proceeds of such sale shall be paid to the City Treasurer and covered into the general fund. No dog so impounded shall be delivered to the owner or to a purchaser thereof, until a tag is purchased for said dog, and a penal fee of \$1, and 10 cents a day for the keeping of said dog during the time it has been impounded, has been paid to the City Treasurer. Provided that in case such owner or purchaser be not a resident within the City of Bend the purchase of such tag shall not be required further, that in any case where a dog has been impounded, for which the provided owner has purchased a tag and attached it to the collar thereof, and such tag has been lost or stolen, on proof being made thereof said dog shall be released and a substitute tag delivered to the owner on the payment of a fee of 25 cents.

Sec. 5. Any person owning or having charge, care or control of any fierce, dangerous, or mischievous dog, shall, when ordered so to do by the Marshal, securely muzzle such dog before permitting it to run at large within the city limits of Bend.

Sec. 6. It shall be unlawful for any person or persons to hinder or molest any person or persons who may be engaged in seizing any dog or killing the same in conformity with this ordinance; or to release any dog when impounded, without authority of the said Marshal or poundmaster.

Sec. 7. No mad dog and no female dog in time of heat shall be permitted to run at large within the city limits, and it shall be lawful for any person to kill any such dog running at large, whether wearing a tag or not, and the owner or person permitting any such dog to run at large shall be liable to prosecution under this ordinance.

Sec. 8. It shall be the duty of the Marshall to prosecute all persons violating any of the provisions of this ordinance.

Sec. 9. Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon

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conviction before the Recorder shall be fined in any sum not exceeding \$50, or by imprisonment for any term not exceeding 20 days, or both fine and imprisonment.

Attest;

J. M. Lawrence

Recorder.

Approved May 11 1905.

A. B. Goddard

Mayor.

Passed by the Common Council May 10, 1905.

Published May 19, 1905.

ORDINANCE N o. 20.

An Ordinance to amend an Ordinance entitled "An Ordinance to license, tax, regulate and restrain barkeepers, saloon keepers and dealers in spirituous, vinous or malt liquors or fermented cider; barrooms, drinking shops or places where spirituous, vinous or malt liquors or fermented cider are kept for sale or in any manner disposed; and the disposition thereof."

Be it ordained by the Common Council of the City of Bend:

Section 1. That Section 1 of the Ordinance last above entitled, which said Ordinance is No. 6, be and is hereby amended so as to read as follows:

"Section 1. No person or persons shall, within the corporate limits of this City, directly or indirectly, in person or by another, or otherwise, open, maintain or carry on any saloon, barroom, drinking shop or place where spirituous, vinous or malt liquors or fermented cider are kept for sale, or sold, or otherwise disposed of, without first obtaining a license therefor in the manner hereinafter provided.

"No person or persons shall, within the corporate limits of this City, directly or indirectly, sell, give away, or in any manner dispose of any spirituous, vinous or malt liquors or fermented cider in any saloon, barroom, drinking shop, or any other place, the proprietor or owner of which said saloon, barroom, drinking place or any other place, has not in the manner hereinafter set forth first obtained a license to open, maintain or carry on such said saloon, barroom, drinking shop or other place where spirituous, vinous or malt liquors or fermented cider are kept for sale or to be in any manner disposed of.

"Licenses under this Ordinance shall be issued to a person or persons and not to a corporation."

Sec. 2. That Sec. 8 of the Ordinance last above entitled be and is hereby amended so as to read as follows:

"Sec. 8. No keeper or proprietor of any saloon, barroom, or other place where wines, spirituous or malt liquors or fermented

cider are sold or kept for sale, shall in his place permit any breach of the peace or disturbance of the public order or decorum by noisy or disorderly conduct when it is in his power to prevent the same, or shall sell or give, or permit to be sold or given, any intoxicating liquor to any person already intoxicated or to any person under the age of majority or during the voting hours of an election day, or shall at any time permit or employ any woman to act as waitress or bartender, or to sing or dance, or serve in any capacity in his saloon or barroom, or permit any infraction of the ^{laws of the} state of Oregon, or the smoking of opium or disorderly conduct, or any bawdy house to be carried on in such place or in connection therewith."

Sec. 3. That there be added to the Ordinance last above entitled a section to be known as Sec. 9 as follows:

"Sec. 9. Any person or persons violating the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than fifty dollars, or by imprisonment in the City Jail for not less than twenty days, or by both fine and imprisonment, and shall forfeit any license which he or they may hold under the provisions of this Ordinance, and the bond specified in Sec. 7 of this Ordinance may be proceeded against."

Attest:

J. M. Lawrence

Recorder.

Approved May 11, 1905.

A. D. Goodwillie

Mayor.

Passed by the Common Council May 10, 1905.

Published May 12, 1905.

ORDINANCE No. 21.

An Ordinance authorizing the purchase of a parcel of land in section thirty-three, township seventeen south, range twelve east, for city cemetery purposes, providing a name therefor, providing for the disposition of lots therein, and establishing rules and regulations for the government thereof.

Be it ordained by the Common Council of the City of Bend:

Section 1. That the Mayor be and he is hereby authorized and directed to do all such things, including the expenditure of money, as are necessary for the purchase from the United States Government of the South-east Quarter of the South-East Quarter of Section Thirty-three, Township Seventeen South, Range Twelve East of the Willamette Meridian, which said land, or such portion as is needed therefor, shall be used for the purpose of a city cemetery.

Sec. 2. Said cemetery is hereby named "Pilot Butte Cemetery".

Sec. 3. The Recorder is hereby directed and authorized to cause a plot of four acres, more or less, of said land to be laid off by some competent surveyor into proper streets and alleys, and to have a plat of said plot, so laid off, made and recorded in the office of the County Clerk of Crook County. Said plat shall be officially designated as "Section One of Pilot Butte Cemetery".

Sec. 4. There shall be appointed by the Mayor from among the members of the council a standing committee of three members, which said committee shall be known as the "Cemetery Committee".

It shall be the duty of the said committee to make such rules and regulations as are necessary for the proper care, protection and government of the cemetery and for the guidance and control of the sexton, not in conflict with the provisions of this ordinance. It shall be the duty of said committee to see that the provisions of this ordinance and such rules and regulations as they make are properly enforced and obeyed. The said committee is hereby empowered and directed to fix a schedule of prices for which lots in the cemetery may be sold, which said schedule shall be subject to the approval of the council. Said schedule may by the cemetery committee, upon the approval of the council, be at any time amended. Upon approval of the council as above provided said schedule or amendment shall be filed with the Recorder and shall thereafter be followed and shall govern in the sale of all lots in the cemetery until the filing of the next succeeding schedule or amendment, as in this ordinance provided.

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Sec. 5. The sexton shall be appointed by the cemetery committee, subject to the approval of the council, and shall hold his office until his resignation is accepted or until he is removed by the cemetery committee, which said committee is hereby empowered to remove said sexton for any cause that a majority of said committee may deem sufficient. If a vacancy occur in the office of sexton, it shall be filled by appointment of the cemetery committee and the appointee shall hold his office until the next regular meeting of the council, and until his successor is appointed.

Sec. 6. The sexton shall, under the cemetery committee, have full charge of the cemetery. As full compensation for all services performed by him under this ordinance and the rules and regulations prepared by the cemetery committee, he shall be entitled to receive for all interments or disinterments made in said cemetery the following fees, the same to be collected by him of those making the proper applications for such services.

For interments-

- For a grave in class one\$3 00
- For a grave in class two.....4 00
- For a grave in class three.....5 00

For disinterments-

- From a grave in class one.....\$6 00
- From a grave in class two.....8 00
- From a grave in class three.....10 00

He shall in consideration of his appointment as sexton of said cemetery, under direction of the cemetery committee, labor for ten days in each year upon said cemetery ground, said work to be performed at such time and upon such improvements as the committee directs.

Sec. 7. It shall be the duty of the sexton to keep in a register provided for that purpose a record showing in proper column:

- The name of the deceased.
- Date of burial or disinterment.
- Number of lot in which burial or from which disinterment is made.
- Number of permit.
- Charge for opening the grave.

The sexton shall on the first Monday of each Month file with the Recorder a report, in form like the record above provided, of all interments and disinterments made during the month last preceeding. It shall be his duty to prepare all graves or to cause them to be pre-

pared, and he shall attend to all duties appertaining to his office at the interment of bodies. It shall be his duty upon proper application to disinter, or cause to be disinterred, all bodies. All graves within the limits of the cemetery must be opened and closed by the sexton or someone specifically authorized by him.

Sec. 8. All graves four feet and less in length shall be at least four and one-half feet deep and shall be designated as class One. All graves less than six feet in length and over four feet, shall be at least five feet deep and shall be designated as class Two. All graves six feet and over in length shall be at least five and one half feet deep and shall be designated as class Three.

Sec. 9. Every conveyance of a lot in the cemetery shall be by deed, executed by the Mayor and attested by the Recorder, under the seal of the city; but such conveyance shall only have the effect of giving the perpetual use of a lot for burial purposes subject to the laws of the state and the rules and regulations made by the City of Bend for the government thereof.

Sec. 10. The Recorder is hereby empowered to sell lots in the cemetery at prices fixed by the cemetery committee and must, before issuing the permit mentioned in Section 11 of this ordinance, collect all dues arising from such sales. All money received by the Recorder from the sale of lots shall be paid by him into the city treasury and shall by the City Treasurer be kept in a special fund which is hereby created, and which shall be known as the "Cemetery Fund". Money shall be paid out from said fund only for the purpose of maintaining and improving the cemetery. The Recorder shall in a book kept for that purpose keep a record of all deeds issued, giving name of purchaser, date of sale, number of lot and price of lot.

Sec. 11. Whenever an interment is to be made, written application must be made to the Recorder, and a permit obtained therefor, which said permit, together with notice of the time of burial, must be deposited with the sexton at least twelve hours previous to the time of burial. The application and permit must state the following particulars:

The full name of the Deceased.
Place of nativity, if known.
Age, if known.
Date and place of decease.
Date of interment and location of grave.
Name of undertaker.
Outside size of coffin, or box.
Cause of death, if known.

Any person or persons desiring to disinter a body buried in the cemetery shall make application to the Recorder, who shall, if everything is regular, issue a permit allowing such disinterment. In no case shall a permit be granted unless party applying shall produce a certificate or title to lot or the records in the Recorder's office show that the application is an owner of a lot. The sexton shall not permit an interment or disinterment to be made in said cemetery until authorized to do so by the burial or disinterment permit mentioned above, which permit he shall keep on file. The owner of a lot may allow the interment of the remains of any person not of his family in his lot, but to allow such interment for compensation is strictly forbidden.

When a body is to be removed from one part of the cemetery to another a permit must be obtained for such removal. And when bodies are brought from other burial grounds for interment, the same proceedings must be had as to obtaining permits as hereinbefore provided for the original burial of bodies.

Sec. 12. A record shall be kept by the Recorder of all burial permits issued by him, which record shall contain in proper columns-

The name of the deceased.
 Place of nativity, if known.
 Age, if known.
 Date and place of decease.
 Cause of death.
 Number and date of said permit issued.
 Name of undertaker.
 Lot or grave in which buried.

Sec. 13. In order that the general beauty and attractiveness of the cemetery may be preserved and promoted, and that the improvement of individual lots may contribute thereto, the sexton shall under the direction of the cemetery committee, have entire charge of the planting of trees and shrubs in accordance with the general plan for the ornamentation of the grounds. And if any tree or shrub standing in any lot, whether planted by direction of the sexton or otherwise shall become by reason of its roots, branches or otherwise, detrimental to adjacent lots or avenues, or for any other reason its removal shall become necessary or advisable, the sexton shall have the right and it shall be his duty to remove such trees or shrubs or any part thereof.

In every case where workmen are employed by owners of lots to do work or make improvements in or about said lot such workmen shall be

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subject to the control and direction of the sexton; and any workmen who shall neglect or refuse to obey said directions, or who shall carelessly or wilfully do injury to adjacent lots or who shall neglect to remove any rubbish accumulated in his work, will not thereafter be permitted to work in the grounds of the cemetery.

Sec. 14. Any person who shall injure, remove or deface any headboard, tombstone, monument tree, shrub, fence or any property in said cemetery, shall be deemed guilty of a misdemeanor, and shall upon conviction before the Recorder be punished by a fine in any sum not exceeding Fifty Dollars (\$50 00) or by imprisonment not exceeding twenty-five days, or both fine and imprisonment.

Attest:

J. M. Lawrence

Recorder.

Approved October 7, 1905.

W. H. Goodcell

Mayor.

Passed by the Common Council October 6, 1905.

Published October 20, 1905.

ORDINANCE No. 22.

An Ordinance to amend an Ordinance entitled "An Ordinance fixing the compensation and bond of the Recorder and defining his duties."

Be it ordained by the Common Council of the City of Bend:

Section 1. That Sec. 1 of the Ordinance last above entitled be and is hereby amended so as to read as follows:

"Sec. 1. The Recorder shall receive an annual salary of one hundred and twenty dollars (\$120), payable in monthly installments on the 15th day of each month, and shall not receive any other fee or compensation of any nature whatsoever."

Attest:

)) J. M. Lawrence
Recorder.

Approved December 7, 1905.

W. L. Goodwillie
Mayor.

Passed by the Common Council December 6, 1905.

Published December 15, 1905.

ORDINANCE No. 23.

An Ordinance to amend an Ordinance entitled "An Ordinance fixing the compensation and bond of the Treasurer and defining his duties."

Be it ordained by the Common Council of the City of Bend:

Section 1. That Sec. 1 of the Ordinance last above entitled be and is hereby amended to read as follows:

"Sec. 1. The Treasurer shall receive from the City of Bend no fee or compensation for the performance of the duties of his office."

Attest:

J. M. Lawrence

Recorder.

Approved December 7, 1905.

W. L. Goodwillie

Mayor.

Passed by the Common Council December 6, 1905.

Published December 15, 1905.

ORDINANCE No. 24.

An Ordinance to amend Ordinance No. 6 entitled "An Ordinance to license, tax, regulate and restrain barkeepers, saloon keepers and dealers in spirituous, vinous or malt liquors or fermented cider; barrooms, drinking shops or places where spirituous, vinous or malt liquors, or fermented cider, are kept for sale or in any manner disposed of; and the disposition thereof."

Be it ordained by the Common Council of the City of Bend:

Section 1. That section 3 of Ordinance No. 6 be amended so as to read as follows:

Amended Ord. 24
"Sec. 3. Licenses under the provisions of this Ordinance may not be issued for a less term than one quarter of a year."

Sec. 2. That section 6 of Ordinance No. 6 be amended so as to read as follows:

Amended Ord. 24
"Sec. 6. Every person to whom a license shall issue under the provisions of this Ordinance shall pay into the City Treasury a license fee as follows:

"If for the sale, barter or delivery of any spirituous, vinous or malt liquors or fermented cider, or all of them, in a saloon or barroom, or the barter or sale of any such liquors in any other place, the applicant shall pay the sum of four hundred (400) dollars per annum."

Attest:

J. M. Lawrence

Recorder.

Approved December 6, 1905.

A. H. Goodwillie

Mayor.

Passed by the Common Council December 6, 1905.

Published January 5, 1906.

ORDINANCE No. 25.

An Ordinance adopting a seal for the City of Bend.

Be it ordained by the Common Council of the City of Bend:

Section 1. The seal to be hereafter used and known as the Seal of the City of Bend shall consist of a representation of the sun setting behind the Three Sisters, which representation shall be surrounded by an outer rim wherein shall be the words "Seal of the City of Bend, Crook County, Oregon," and also the figures "1905". Said seal shall make an impression 1 7/8 inches in diameter, as follows:

Sec. 2. The seal described in Section 1 of this Ordinance is hereby adopted as the seal of the City of Bend.

Attest:

J. M. Lawrence

Recorder.

Approved December 6, 1905.

A. B. Goodwillie

Mayor.

Passed by the Common Council December 6, 1905.

Posted by order of the Common Council, in three public places in the City of Bend, December 7, 1905.

ORDINANCE NO. 26

An Ordinance providing for the establishment of the office of Chief Engineer of the Bend Volunteer Fire Department, and for the regulation of said department.

Be it ordained by the Common Council of the City of Bend:

Section 1. That there be and hereby is created the office of Chief Engineer of the Bend Volunteer Fire Department, which said office shall be filled by appointment by the Mayor, subject to the approval of the Council. Said Chief Engineer shall receive an annual salary of Twenty-five Dollars (\$25 00), payable in quarterly installments on the 1st day of January, April, July and October. He shall hold office for the period of one year from date of appointment, unless sooner removed by vote of the Council.

Sec. 2. The Bend Volunteer Fire Department shall consist of the Chief Engineer, and of such companies as are now organized, or may by the Council hereafter be admitted to membership in said department.

Sec. 3. The Chief Engineer shall be held responsible to the Mayor and City Council for the discipline, good order and proper conduct of the officers and men constituting the fire department and for the good condition of all houses, hydrants, engines, hose, hose carriages, hook and ladder trucks, horses, fire bells, fire alarm system and apparatus and furniture connected with the fire department. He shall have command of the entire department and shall see to the enforcement of the rules, regulations and orders established by the Council or the Committee on Police, Fire & Liquor License for the regulation of the department, and shall issue such orders as in his judgment are necessary for the discipline and efficiency of the fire department. He shall have power to suspend any subordinate officer or member of any company, which suspension he shall forthwith report in writing, with his reasons, to the Council, and shall, in writing, report to the Recorder all suspensions or expulsions ordered by the several companies, pursuant to the provisions of their respective by-laws. He shall attend all fires

in the city and shall have supreme charge of the work of the department thereat, and all orders issued by him to any member of the fire department shall be promptly obeyed. He shall decide summarily all disputes or questions arising out of matters connected with said department, among the officers and men when on duty, and shall have, when on actual duty at a fire, the powers of a police officer of the City of Bend. Whenever in his judgment it shall be necessary so to do, he shall cause any building, erection or fence to be cut down, blown up or removed for the purpose of checking the progress of a fire, and to that end may command the services of the whole or any portion of the fire department, as well as citizens and bystanders.

Sec. 4. Every member of the fire department shall be enrolled upon the books of the department to be kept by the Recorder, who shall issue a certificate to each member, which certificate shall be the sole evidence of membership in the department.

Attest:

Francis Stroud
Recorder Pro Tempore

Approved January 11th, 1906.

W. R. Goodwillie
Mayor

Passed by the Common Council January 10th, 1906.

Published January 12th, 1906.

ORDINANCE NO. 27.

An ordinance to prevent and punish the practice of gambling.

Be it ordained by the Common Council of the City of Bend:

Section 1. Each and every person who shall deal, carry on or play or who shall conduct either as owner, proprietor, or employee whether for hire or not, any game of faro, monte, roulette, poker or any game played with cards, dice or any other device, for any representative of value shall be guilty of a misdemeanor and upon conviction thereof before the Recorder shall be punished by a fine of not less than Twenty-five Dollars nor more than Fifty Dollars and if such fine be not paid he shall be imprisoned in the City Jail until such fine and costs are paid, at the rate of Two Dollars per day, provided that no term of imprisonment shall exceed twenty days.

Section 2. It shall be the especial duty of each town marshal and police officer in the City of Bend, Oregon, to inform against and diligently prosecute any and all persons whom they shall have reasonable cause to believe guilty of a violation of the provisions of this ordinance, and any such officer who shall refuse or wilfully neglect to inform against and prosecute offenders against this ordinance shall be deemed guilty of a misdemeanor and upon conviction before the Recorder shall be punished by a fine of not less than Twenty-five nor more than One Hundred Dollars, and the Recorder shall declare the office or appointment held by such officer vacant for the balance of his term.

Attest:

H. C. Ellis

Recorder.

Approved February 14, 1906.

W. L. Goodwillie
Mayor.

Passed by the Common Council February 13, 1906.

Published February 16, 1906.

ORDINANCE NO. 28.

An Ordinance to establish a permanent curb line on Ironwood avenue, between Tenth and Thirteenth streets.

Be it ordained by the Common Council of the City of Bend:

Section 1. The curb line on each side of Ironwood avenue in the City of Bend, between Tenth and Thirteenth streets, shall be, and hereby is directed to be, twelve (12) feet from the curb lines of all lots abutting said avenue.

Section 2. The "curb line" as used in this Ordinance, shall be construed to mean the extreme edge toward the center of the street, of any material, as rock or wood, used to build or erect a curb, so that said Ironwood avenue shall have a drive of not more nor less than 36 feet in the clear.

Section 3. No trees, or other obstruction of any nature whatsoever shall, by any property owner or resident on said avenue, except as otherwise already permitted by Ordinance of this City.

Approved March 22, 1906.

A. A. Gordwille

Mayor.

Attest:

H. C. Ellis

Recorder.

Passed by the Common Council March 20, A. D. 1906.

Published March 23, 1906.

AFFIDAVIT OF COMPARISON

State of Oregon)
 : SS
 County of Crook)

We, C. E. Barney and H. J. Overturf, each being first duly sworn, severally depose and say that we have carefully compared the foregoing copy of the Ordinances of the City of Bend with the original thereof; that to the best of our knowledge and belief the foregoing is a true and correct copy of the same, and of the whole thereof, except as specifically set forth in the following tabulated statement:

Spelled in Original	Spelled in Copy	To be found as follows:		
		Page	Line	Word (or part)
os	of	22	15	4
public	public	23	8	5
replade	replace	25	9	1
miner	minor	27	28	9
judgement	judgment	33	6	3
dunamite	dynamite	35	15	2
of	or	39	30	9
cemetary	cemetery	47	4	2
thi	this	47	29	15
repared	prepared	48	12	12
preceeding	preceding	48	39	9
application	applicant	50	6	4
iterment	interment	50	15	8
of	if	50	21	4

C. E. Barney.

H. Overturf.

Subscribed and sworn to before me this 11th day of December, 1906.

[Signature]

Notary Public for Oregon.

ORDINANCE NO. 29.

An Ordinance to amend Ordinance No. 24, entitled: "An Ordinance to amend Ordinance No. 6, entitled: 'An Ordinance to license, tax, regulate and restrain bar-keepers, saloon keepers and dealers in spirituous, vinous or malt liquors or fermented cider; bar-rooms, drinking shops or places where spirituous, vinous or malt liquors, or fermented cider, are kept for sale or in any manner disposed of; and the disposition thereof.'"

Be it Ordained by the Common Council of the City of Bend:

Section 1. That Section 2 of Ordinance No. 24 be and it is hereby so amended as to read as follows:

"Sec. 2. That Section 6 of Ordinance No. 6 be amended so as to read as follows:

"Section 6. Every person to whom a license shall issue under the provisions of this Ordinance shall pay into the City Treasury a license fee as follows:

"If for the sale, barter or delivery of any spirituous, vinous or malt liquors or fermented cider, or all of them, in a saloon or bar-room, or the barter or sale of any such liquors in any other place, the applicant shall pay the sum of five hundred (500) dollars per annum."

Approved March 7th., 1907.

A. H. Goodwillie

Mayor.

Attest:

H. C. Ellis

Recorder.

Passed by the Common Council March 5, 1907.

Published March 8, 1907.

ORDINANCE NO. 30.

An Ordinance providing for the closing of saloons, bar-rooms and drinking shops between the hours of 12:30 o'clock, A. M. and 5 o'clock A. M.

Be it Ordained by the Common Council of the City of Bend:

Section 1. It shall be unlawful for any keeper or proprietor of any saloon, bar-room or drinking shop, or of any place where spirituous, vinous or malt liquors, or fermented cider are kept for sale, or in any manner disposed of, to sell, deliver or give away or permit to be sold, delivered or given away, either directly or indirectly, in person or by another, whether his property or another's, any intoxicating liquor to any person or persons between the hours of twelve thirty (12:30) o'clock a. m. and five (5) o'clock a. m.

Section 2. If the Common Council shall have reason to believe that the proprietor of any saloon, bar-room or drinking shop is guilty of a violation of the provisions of Section 1 of this Ordinance, said Common Council shall forthwith revoke the license of such keeper or proprietor.

Approved March 7th., 1907.

A. S. Goodwillie.

Mayor.

Attest:

H. C. Ellis

Recorder.

Passed by the Common Council March 5, 1907.

Published March 8, 1907.

ORDINANCE NO. 31.

AN ORDINANCE amending an ordinance, entitled "An Ordinance prohibiting the signature as surety by the Mayor, Recorder, Treasurer or any Alderman, of any bond required to be given by any officer of the City of Bend."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That an Ordinance entitled: "An Ordinance prohibiting the signature as surety by the Mayor, Recorder, Treasurer, or any Alderman, of any bond required to be given by any officer of the City of Bend." Which said ordinance is No. 4 of the ordinances of the City of Bend, be and it is hereby amended so as to read as follows:

That neither the Mayor, the Recorder, the Treasurer, any member of the Common Council or any other officer, appointee or employee of the City of Bend, shall sign as surety any bond which the Ordinances of the City of Bend or the Statutes of the State of Oregon require to be executed wherein the City of Bend is obligee.

Approved May 14, 1907.

W. H. Goodwin

Mayor.

ATTEST:

H. C. Ellis

Recorder.

Passed by the Common Council May 14, 1907.

Published July 5, 1907.

ORDINANCE NO. 32.

AN ORDINANCE to prevent certain animals and fowls running at large, to provide for the impounding and sale of the same, and to appoint a poundmaster.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. No horses, mules, cattle, sheep, swine, goats, chickens, geese, ducks, or any domestic animals or fowls shall be allowed to run at large or to be herded in any of the streets, alleys, parks, or public places in the City of Bend, except when the same are being driven through the streets.

Section 2. Any such animals or fowls found running at large within the limits of this City may be taken up by the poundmaster, whereupon the poundmaster shall give notice to the person owning such animals or fowls, or to his legal representative, and shall deliver the same to the aforesaid owner or legal representative only upon payment of one dollar (\$1.00) per head for animals and twenty-five cents (\$.25) apiece for fowls. If not claimed on the day of notification the above rates shall be the fixed charge per day, plus the actual cost of keeping. If, within twenty-four (24) hours after notification, the owner or his legal representative refuses or neglects to redeem the said animals or fowls they shall be sold at public outcry to the highest bidder for cash.

Section 3. The City Marshal or Night Watch shall be ex officio poundmaster, and shall conduct all sales of animals or fowls and shall have authority to guarantee debts incurred in keeping the same, which debts shall, in all cases be paid from the general fund of the City.

Section 4. All receipts from the impounding or sale of animals or fowls as hereinbefore provided shall be distributed as follows:

1st: The City shall recover all money expended in keeping animals or fowls impounded and in advertising the same.

2nd: The poundmaster shall receive the per diem charge set

forth in Sec. 2 of this ordinance.

3rd: All surplus from sales shall be turned into the general fund of the City.

Section 5. In case no one claims the animals or fowls found running at large, the poundmaster shall insert in the newspaper published in the City of Bend, having the largest paid circulation, a notice of the same for two consecutive weekly issues next following the taking up of said animals or fowls. Anyone claiming the aforesaid animals or fowls after such publication shall be required to pay the cost of such notice in addition to the costs enumerated in Sec. 2 of this ordinance. In case no claimant appears, the same shall be sold at public outcry and the receipts distributed as provided in Sec. 4 of this ordinance.

Section 6. All sales of animals or fowls provided for in this ordinance shall take place in front of the post-office in the City of Bend.

Section 7. Persons living in unfrequented or sparsely inhabited portions of the city and owning domestic fowls may apply to the Common Council for permission to allow the same to run at large. Upon such permission being granted by a majority vote of the Council, it shall not be unlawful for the aforesaid persons to allow said fowls to run at large. Provided, however, that, notwithstanding such permission has been given, if any person within the limits of the city shall notify the marshal that the aforesaid fowls are damaging his property, the marshal shall order the owner of such fowls to take up the same, and after twenty-four (24) hours following such order all the provisions of this ordinance shall be in full force and effect against the person mentioned at the beginning of this section.

Approved August 21, 1907.

A. H. Goodwin

Mayor.

ATTEST:

H. C. Ellis

Recorder.

Read first time August 21, 1907. Rules suspended and passed August 21, 1907.

ORDINANCE NO. 33.

AN ORDINANCE prohibiting the misrepresentation of the age of a minor, by himself or another, for the purpose of inducing any keeper or employee of any saloon, bar-room or drinking shop to give or sell to such minor any intoxicating liquor, and providing a penalty therefor. BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. If, for the purpose of inducing any keeper or employee of any saloon, bar-room or drinking shop to sell or give any intoxicating liquor to any minor, any person over the age of sixteen years shall represent the age of such minor is twenty-one years or over, such person shall be guilty of a misdemeanor, and upon conviction thereof before the Recorder, shall be punished by a fine of not less than \$10.00 nor more than \$25.00.

Approved September 10, 1907.

A. S. Goodwillie

Mayor.

ATTEST:

H. C. Ellis

Recorder.

Read first time August 21, 1907. Read second time and passed September 10, 1907.

ORDINANCE NO. 34.

AN ORDINANCE amending the fifth paragraph of Section 5 of an ordinance entitled: "An ordinance to license, tax, regulate and restrain bar-keepers, saloon-keepers, and dealers in spirituous, vinous or malt liquors or fermented cider, bar-rooms, drinking shops or places where spirituous, vinous or malt liquors or fermented cider are kept for sale or in any manner disposed of, and the disposition thereof."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That the fifth paragraph of Section 5 of the ordinance described in the caption hereof, which said fifth paragraph begins with the words: "Before final action," and which said ordinance is numbered 6, be and it is hereby amended by the addition of the following words, at the end of the said paragraph:

"The said published application shall be in substantially the following form:

"SALOON LICENSE NOTICE."

"To the Honorable Mayor and Common Council of the City of Bend.

Gentlemen:-- The undersigned _____, having heretofore filed in the office of the Recorder a bond, effective until the ____ day of _____ 190__, with _____ of _____, Oregon, and _____ of _____, Oregon, as sureties, and having subscribed and sworn to the affidavit hereto attached, respectfully hands you herewith the receipt of the Treasurer for \$_____, and applies for a license from the City of Bend to sell spirituous, vinous and malt liquors and fermented cider in the building situated on Lot _____ of Block _____ of Bend, Oregon, for a period of _____ months from the _____ day of _____, 190__.

Respectfully,

"Dated at Bend, Oregon, this _____ day of _____, 190__."

ORDINANCE 35.

AN ORDINANCE to amend Section 4 of an ordinance entitled "An Ordinance Fixing the Compensation and Bond of the Recorder and Defining His Duties."

BE IT ORDAINED by the Common Council of the City of Bend:

That said Section 4 be amended so as to read as follows:

Section 4. The Recorder must issue all licenses authorized by the city ordinances, upon delivery to him of the receipt of the Treasurer for the amount of money required for such license. PROVIDED, however, that the Recorder shall issue no license for conducting a billiard, bagatelle or pool table or bowling alley, or for the sale of cigars, tobacco, notions, soft drinks or other merchandise in connection with a card or billiard room or bowling alley unless written application therefor be first made to the Common Council and said application be granted by a majority vote thereof. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Approved August 13th., 1908.

Geo Brosterhous
Acting Mayor.

ATTEST:

H.C. Ellis
Recorder.

ORDINANCE 36.

AN ORDINANCE establishing The Bend Library Association.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. There is hereby created and established a free Public Library in the City of Bend, Oregon, to be known as The Bend Library Association.

Approved March 14, 1908.

H. P. J. McDONALD,

Mayor.

ATTEST:

H. C. Ellis

Recorder.

Passed by the Common Council March 14, 1908.

Published March 20, 1908.

ORDINANCE 37.

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AN ORDINANCE prohibiting persons under the age of eighteen years to engage in any billiard, pool or card game, or to frequent or loiter about public billiard, pool or card rooms; providing for the enforcement of said prohibition by the proprietors of said public billiard, pool or card rooms or their agents and providing a penalty for the violation thereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. It shall be unlawful for any person under the age of eighteen years to engage in any billiard, pool or card game in, or to frequent or loiter about any public billiard, pool or card room.

Section II. Any person, firm or corporation conducting a public billiard, pool or card room either as principal or agent shall cause to be posted in at least three conspicuous places therein, printed notices containing in substance the provisions of Section One of this ordinance.

Section III. It shall be unlawful for any person, firm or corporation conducting any public billiard, pool or card room, either as principal or agent, to permit any person under the age of eighteen years to engage in any billiard, pool or card game therein or to frequent or loiter about the same.

Section IV. Any person, firm or corporation violating the provisions of this ordinance is guilty of a misdemeanor and upon conviction thereof before the City Recorder shall be punished by a fine of not less than Five Dollars nor more than Twenty-five Dollars.

Section V. In addition to the penalty provided in Section Four of this Ordinance, the license of any person, firm or corporation, mentioned in Sections Two and Three of this Ordinance, violating the provisions of said Sections, shall be revoked by the

Common Council of said City and all moneys paid thereunder shall be forfeited to the City of Bend.

Approved May 15, 1909.

ATTEST:

H. C. Ellis

Recorder.

James J. Davidson

Mayor.

Passed by the Common Council May 15, 1909.

Published May 19, 1909.

ORDINANCE 38.

-0-

AN ORDINANCE amending the first paragraph of Section eleven (11); repealing Section Thirteen (13) and amending Section eleven (11) of an Ordinance entitled: "An Ordinance providing for licensing and regulating the carrying on of certain professions, trades, callings and occupations within the corporate limits of Bend."

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. That the first paragraph of Section Eleven (11), of the above named Ordinance, being Ordinance No. 17 of the Ordinances of the City of Bend, be and the same is hereby amended so as to read as follows:

"Any person, firm or corporation conducting a billiard, bagatelle or pool table, except only such as are used in private houses or in private rooms, shall pay for each and every table a license fee of Five Dollars per quarter."

Section II. That Section Thirteen (13) of the above named Ordinance, being Ordinance No. 17 of the Ordinances of the City of Bend, be and the same is hereby repealed.

Section III. That Section Eleven (11) of the above named Ordinance, being Ordinance No. 17 of the Ordinances of the City of Bend, be and the same is hereby amended by inserting therein, immediately after the first paragraph of said Section Eleven, the following words:

"Any firm, person or corporation conducting a roller skating rink shall pay a license fee of One Dollar per day or Ten Dollars per month."

Approved May 15, 1909.

ATTEST:

H. C. Ellis

Recorder.

James O. Davidson

Mayor.

Passed by the Common Council May 15, 1909.

Published May 19, 1909.

ORDINANCE 39.

-0-

AN ORDINANCE amending the second paragraph of Section Eleven (11) of an Ordinance entitled:- "An Ordinance providing for licensing and regulating the carrying on of certain professions, trades, callings and occupations within the corporate limits of Bend."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That the second paragraph of Section Eleven of the above entitled Ordinance, being Ordinance No. 17 of the Ordinances of the City of Bend, be and the same is hereby amended so as to read as follows:

"Every person conducting a bowling alley shall pay Five Dollars each for every alley, per quarter; every place where bowls are thrown, open to the public, with or without price, shall be regarded as a bowling alley."

Passed by the Council March 9, 1910.

Approved:

L. B. Merrill

Mayor.

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE 40.

AN ORDINANCE amending Ordinance No. 17 of the City of Bend, entitled:- "An Ordinance providing for licensing and regulating the carrying on of certain professions, callings and occupations within the corporate limits of Bend."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1: That said Ordinance 17 be amended by adding thereto a section which shall read as follows:

"Section 13. It shall be unlawful for any person, firm or corporation, by agent or otherwise, to sell, barter, give away or dispense within the corporate limits of the City of Bend, the beverage known as near beer, without first having obtained a license therefor in the manner hereinafter provided. Any person, firm or corporation desiring a license under the provisions of this Section shall present a written application therefor to the Common Council, which said application shall state the Lot and Block whereon it is proposed to carry on said sale of near beer; if said application is approved by a majority vote of all the members of the Board of Aldermen, a license shall be issued to the applicant as provided in Section 2 of this Ordinance. Every person, firm, or corporation to whom a license shall issue under the provisions of this Section shall pay into the City Treasury the sum of two hundred dollars (\$200.00) per annum, payable quarterly as provided by Section 4 of this Ordinance and before securing such license, said applicant shall execute to the City of Bend a bond in the penal sum of \$500.00 with two or more sufficient sureties, residents and freeholders of the City of Bend, to be approved by the Mayor, Said bond shall be in effect for one year from the date of issuance of said license and conditioned that the licensee will not violate any Ordinance of the City

of Bend nor permit the same to be violated upon the premises covered by said license; Provided, that the Common Council, by a majority vote of all its members, may revoke any license granted hereunder upon cause sufficient in their judgment and without repayment of any unearned license fee."

Passed by Common Council March 9, 1910.

Approved:

C. M. McNeill

Mayor.

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE 41.

AN ORDINANCE vacating certain parts of the plat of Bend, Oregon.

WHEREAS, The Pilot Butte Development Company, by petition filed with the Recorder of the City of Bend on the 6th day of April, 1910, prayed for the vacation of Lots 11 and 12 of Block 17, Lots 6, 7, 8 and 9 of Block 18, and that part of Lava Road lying between the southeasterly end of the alley in Block 17 and the southwesterly end of the alley in Block 18, according to the plat of Bend as filed in the office of the County Clerk of Crook County, Oregon; and

WHEREAS, Notice of the filing of said Petition was given by publication in The Bend Bulletin, a public newspaper printed in Bend, for a period of thirty days, said notice containing a description of the property to be vacated; and

WHEREAS, The Pilot Butte Development Company, appearing to be the owner in fee of all the property affected by the proposed vacation, has filed with the Recorder of the City of Bend its due consent to the vacation prayed for; therefore,

BE IT ORDAINED BY the Common Council of the City of Bend:

That the plat of Bend as filed in the office of the County Clerk of Crook County, Oregon, is hereby vacated as to Lots eleven (11) and twelve (12) of Block seventeen (17), Lots six (6), seven (7), eight (8) and nine (9) of Block eighteen (18), and that part of Lava Road lying between the southeasterly end of the alley in said Block seventeen (17) and the southwesterly end of the alley in said Block eighteen (18).

Passed by the Common Council May 10, 1910.

Approved May 10th., 1910.

Attest:

E. W. Merrill
Mayor.

H. C. Ellis
Recorder.

ORDINANCE 42.

AN ORDINANCE amending Ordinance 40 of the City of Bend, entitled:- "An ordinance amending ordinance No. 17 of the City of Bend." entitled:- "An ordinance providing for licensing and regulating the carrying on of certain professions, callings and occupations within the corporate limits of Bend."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That said ordinance 40 be and the same is hereby amended by adding thereto a section which shall read as follows:

Section 14. That every person, firm or corporation to whom a license shall issue under the provisions of said ordinance No. 40 shall pay into the City Treasury the sum of Five Hundred (500) dollars per annum, payable quarterly as provided by Section 4 of Ordinance No. 17. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Read for first time June 14, 1910. Rules suspended and read for second time June 14, 1910.

Approved:

C. W. Merrill,
Mayor.

ATTEST:

H. C. Ellis
Recorder.

ORDINANCE 43.

AN ORDINANCE amending Ordinance No. 14, of the City of Bend, entitled:- "An Ordinance to provide for the employment of persons confined in the city jail.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That said Ordinance No. 14 be amended by adding thereto a section which shall read as follows:

"Section 4. All prisoners employed under said Ordinance 14 shall be required to labor for the period of eight hours per day during the term of his sentence. Provided that in all cases where a prisoner is confined under the penalty of a fine, he shall be credited at the rate of two dollars per day upon the fine for each and every day he is employed under the provisions of said ordinance 14."

Read the first time June 14, 1910. Read the second time June 28, 1910.

Passed by the Common Council June 28, 1910.

Approved June 28, 1910.

C. W. Merrill
Mayor.

ATTEST:

H. C. Ellis
Recorder.

ORDINANCE 44.

AN ORDINANCE to regulate the keeping and the manner of keeping certain domestic animals within the corporate limits of the city of Bend and to provide a penalty for the violation thereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. No person or persons shall within the corporate limits of the City of Bend keep any swine, sheep, goats or guinea fowls.

Section 2. No person or persons shall keep within the corporate limits of the City of Bend any bell or bells upon any domestic animal or animals during the hours intervening between the hour of 8 o'clock p. m. and the hour of 6 o'clock a. m.

Section 3. Any person or persons violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof before the Recorder shall be punished by a fine not less than five dollars nor more than twenty-five dollars.

Read first time June 28, 1910.

Read second time July 12, 1910.

Passed by the Common Council July 12, 1910.

Approved:

E. W. Merrill

Mayor.

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE 45.

AN ORDINANCE Amending Section Eleven of an ordinance, entitled:- "An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Professions, Trades, Callings and Occupations within the Corporate Limits of Bend."

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. That Section eleven (XI) of the above entitled ordinance be and the same is hereby amended by adding thereto the following words:- "any person, firm or corporation conducting a moving picture show, shooting gallery or skating rink shall pay a license fee of ten dollars per quarter.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Read first time September 6, 1910.

Read second time September 13, 1910.

Approved September 19, 1910.

S. C. Caldwell
Mayor.

ATTEST:

H. C. Ellis
Recorder.

ORDINANCE 46.

AN ORDINANCE to Regulate the Use of Automobiles and Motor-driven vehicles upon the streets, alleys and public ways within the Corporate Limits of the City of Bend and to provide a penalty for the violation thereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. Every automobile or motor-driven vehicle, when driven upon the streets, alleys or public ways within the corporate limits of the City of Bend shall, during the hours of darkness, have fixed upon some conspicuous part thereof at least two lighted lamps, one showing a white light to the front and one showing red light to the rear.

Section II. Every automobile or motor-driven vehicle, shall use the "muffler" so-called and the same shall not be cut-out or discontinued when the motor of any of the said vehicles are in operation within the corporate limits of the City of Bend. Every automobile or motor-driven vehicle shall be provided with good and efficient brakes.. The driver or operator of every automobile or motor-driven vehicle shall turn to the right in meeting vehicles, teams or persons moving or headed in an opposite direction and by turning to the left in passing vehicles, teams or persons moving or headed in the same direction.

Section III. No person, driver or operator in charge of any automobile or motor-driven vehicle on any street, alley or public way within the corporate limits of the City of Bend shall drive, operate or move or permit the same to be driven, operated or moved at a rate of speed faster than eight miles per hour. Every person, driver or operator in charge of any automobile or motor-driven vehicle in turning any corner or crossing any street within the corporate limits of the City of Bend shall, within

NOT LESS THAN FIFTY and not more than one hundred feet of such crossing or corner give signal of warning by horn or whistle.

Section IV. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine or not less than five nor more than fifty dollars.

Read first time September 6, 1910.

Read second time September 13, 1910.

Approved September 19, 1910.

S. C. Caldwell

Mayor.

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE 47.

-0-

AN ORDINANCE vacating certain streets and alleys in the City of Bend, Oregon.

WHEREAS; Oregon Trunk Railway, a corporation incorporated and existing under the laws of the state of Oregon, on the 15th day of August, 1910, filed with the recorder of the City of Bend its petition for the vacation of the streets and alleys in the town of Bend hereinafter mentioned, and at the regular meeting of the Common Council held on the 11th day of October, 1910, at the hour of eight o'clock, p. m., duly presented its said petition, together with the affidavit of the printer of The Bend Bulletin, a weekly newspaper published and circulated in the City of Bend, which said affidavit shows to the satisfaction of the Common Council that the notice of the filing and presentation of the said petition for the vacation of the streets and alleys hereinafter named was duly published in the said newspaper, in the regular weekly edition thereof, once a week for five weeks, and also the affidavit of H. C. Ellis that the written notice aforesaid was duly set up and posted in the city of Bend in three of the most public places in the said city on the 31st. day of August, 1910, more than thirty (30) days prior to the meeting of the said Common Council aforesaid; and

WHEREAS; it appears by the said petition and to the satisfaction of the Common Council that the said Oregon Trunk Railway is the owner of all of blocks 29, 30, 31, 32 and 33, in the city of Bend, Oregon, according to the recorded plat thereof, and also all that land lying between Fir street, in the said city of Bend and the north line of the south half of the northeast quarter of Section 32, in Township 17 South, Range 12 East of

Willamette meridian, and between Twelfth and Thirteenth streets; also, that for the purpose of constructing, operating and maintaining its railway line over and upon the said property within the city of Bend, it is necessary to make use of so much of the following described streets and alleys as lie between Twelfth and Thirteenth streets, to-wit:- Juniper avenue, Ironwood avenue, Hawthorn avenue, Fir avenue, and the alleys in blocks 29, 30, 31, 32 and 33, and also that no ~~ne~~ other person, firm, or corporation is particularly affected by the vacation of the said streets and alleys, ~~and that no other person~~ petitioned for, and that public convenience demands the closing of said streets and alleys, and the ^vacation thereof, and that no other person or persons own any property immediately adjoining that part of the said streets and alleys petitioned to be vacated, and no opposition having been made to such petition and the council being satisfied that it is to the public interest that the said petition be allowed.

NOW, THEREFORE, be it ordained by the Common Council of the city of Bend as follows:

Section 1. That so much of the following described streets and alleys in the city of Bend as lie between Twelfth and Thirteenth streets, according to the recorded plat of said city of Bend, be and are hereby vacated, to-wit:- Juniper avenue, Ironwood avenue, Hawthorn avenue, Fir avenue, and the alleys in blocks 29, 30, 31, 32 and 33.

Ordinance read first time October 11, 1910. Rules suspended and read second time October 11, 1910.

Passed October 11, 1910.

Approved October 11, 1910.

ATTEST:

H. C. Ellis
Recorder.

S. C. Caldwell
Mayor.

ORDINANCE 48.

AN ORDINANCE to provide for licensing, regulating and restraining retail liquor dealers; to prohibit the sale of liquor without a license; to provide penalties and punishment for the violation of any provisions of this Ordinance and to repeal all ordinances and parts of ordinances in conflict herewith.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. No person or persons shall, within the corporate limits of this city, directly or indirectly, in person or by another, sell, barter, give away, deliver or in any manner dispose of any wine, spirituous or malt liquors or fermented ciders, without first obtaining a license therefor in the manner hereinafter provided, and every person to whom such license shall be granted shall pay into the City Treasury the sum of One Thousand (1000) Dollars per annum, payable quarterly in advance.

Section II. Any person or persons desiring a license under the provisions of this ordinance shall present application therefore in writing at a meeting of the Common Council at least two weeks before the date of granting such license, which application shall be referred by the Council to the Liquor License Committee as provided by this ordinance; said application shall be in substantially the following form, to-wit:

NOTICE OF APPLICATION FOR SALOON LICENSE.

To the Honorable Mayor and Common Council of the City of Bend,
Gentlemen:

The undersigned, (name of applicant),
having subscribed and sworn to the affidavit hereto attached,

respectfully tenders you herewith the receipt of the City Treasurer for Two Hundred Fifty dollars, and applies for a license from the City of Bend to sell wine, spirituous and malt liquors and fermented ciders as a retail liquor dealer in the building situated on Lot _____ of Block _____ of Bend, Oregon, for the period of one year from the _____ day of _____, 191__.

Respectfully submitted,

(Signature.)

Dated at Bend, Oregon, this _____ of _____, 191__.

STATE OF OREGON)
)SS.
COUNTY OF CROOK)

I, _____ (Name of applicant) _____, being first duly sworn, depose and say:- that I am the applicant in the foregoing application for retail liquor license; that I am an American citizen; that I have never been convicted of allowing females or minors to loiter in or about a place where intoxicating liquors were sold; that I have never sold intoxicating liquors to a minor.

Subscribed and sworn to before me this _____ day of _____, 19__ at _____.

(S E A L).

Notary Public for Oregon.

Section III. Every person or persons making application for license under the provisions of this ordinance shall cause such application and affidavit to be published at least ten days before the granting of the same, in some newspaper having general circulation in the city and shall file satisfactory proof of such publication before such license shall issue.

Section IV. It shall be the duty of the Mayor and he is hereby empowered and authorized to appoint a committee of three

members of the Council to be known as the Liquor License Committee, whose duty it shall be to enquire and examine into and investigate all applications and applicants under this ordinance. And if said committee shall deem the applicant entitled to a license they shall endorse thereon their approval and return the same to the Council for final action, within seven days after they receive the same. If the committee do not approve the same they shall endorse thereon their reasons for such disapproval and return the same to the Council within the same time as if they had approved the same.

Section V. The Council shall, at the next meeting after the said application shall have been returned by the said committee, act upon the same and by resolution either grant or refuse a license, notwithstanding the approval or disapproval by the Liquor License Committee. If the license be granted, then when the applicant shall have filed with the City Recorder a surety bond in the penal sum of \$1,000, and the same shall have been approved by the Mayor and conditioned as set forth in the following form, then the said license shall issue as applied for and not otherwise.

B O N D.

Know all men by these presents that (name of licensee) and (surety company) are held and firmly bound unto the city of Bend in the sum of 1,000 dollars, lawful money of the United States for the payment whereof, well and truly to be made the said principal binds himself, his heirs, executors and administrators and the said Surety Co. binds itself, its successors and assigns, jointly and severally, firmly by these presents, signed, sealed and delivered this _____ day of _____ 19__.

The condition of the above obligation is such that, whereas the above bounden _____ has made application

for a license to sell wine, spirituous and malt liquors and fermented cider as a retail liquor dealer under the provisions of Ordinance No. 48, entitled:- "An ordinance to provide for licensing, regulating and restraining retail liquor dealers; to prohibit the sale of liquors without a license; to provide penalties and punishment for the violations of any provisions of this ordinance and to repeal all ordinances and parts of ordinances in conflict herewith," which license is about to issue and will be issued upon the approval of this bond. Now, if the said _____ shall keep an orderly house and in all things comply with the provisions of the said Ordinance No. 48 from the date hereof until the _____ day of _____, 19____, then this obligation to be void otherwise to remain in full force and effect.

In the presence of

_____ Seal
_____ Seal

Section VI. The Council may at any time revoke and cancel any license granted under the provisions of this ordinance and in all instances where any person or persons holding license under this ordinance shall be convicted of violating any provision hereof, the Council shall forthwith revoke the license of such person or persons. Any revocation of a license hereunder shall disqualify such licensee from securing another license.

Section VII. It shall be unlawful for any keeper or proprietor of any bar-room or drinking shop where liquors are kept for sale or sold; in his or their place to permit any breach of the peace when it is in his or their power to prevent the same, or to sell or give or permit to be given or sold any intoxicating liquor to any person already intoxicated, or to any habitual drunkard or any female or any person under the age of majority

or during the voting hours of any election day, or at any time to permit or employ any female to act as waitress or bar-tender, or to sing or dance, or to serve in any capacity in his or their said bar-room or drinking shop, or to conduct or permit to be conducted in connection with his or their said bar-room or drinking shop, any bawdy house; or to display or permit to be displayed any lewd or indecent pictures; or permit his or their said bar-room or drinking shop to be or remain open on the first day of the week, commonly called Sunday; or to sell or give away or permit to be sold or given away, any intoxicating liquors on such day.

Section VIII. All bar-rooms and drinking shops licensed under the provisions of this ordinance shall provide open fronts, beginning not more than five feet from the sidewalk, which fronts shall be of clear glass and the interior of such bar-room or drinking shop shall be devoid of all screens, partitions or other obstructions that will in any way prevent any one passing on the street from obtaining a full view of the interior of such place.

Section IX. It shall be unlawful for any minor or female to loiter in or about any place where liquors are sold or to buy or accept any intoxicating liquors for beverage purposes.

Section X. It shall be unlawful for any person, persons, or firm engaged in the retail liquor business to sell or in any manner dispose of any liquors upon any street, within the corporate limits of the city of Bend, except upon Bond street, as shown by the recorded plat thereof; or to maintain or allow any opening, entrance or exit in any bar-room or drinking shop upon any street other than the said Bond street. Provided this restriction as to place of sale shall not apply to a person or persons carrying on a retail liquor business in connection with a hotel having thirty or more sleeping rooms.

Section XI. Any person violating any provision of this ordinance shall, upon conviction therefor, be punished by a fine not exceeding Fifty Dollars or by imprisonment not exceeding Twenty days or by both such fine and imprisonment.

Section XII. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

First reading December 20, 1910.

Rules suspended, read second time and passed
December 20, 1910.

APPROVED this 20th. day of December 1910.

ATTEST:

H. C. Ellis
Recorder.

D. M. Davis
Mayor, Pro Tem.

ORDINANCE 49.

AN ORDINANCE amending Ordinance No. 48, entitled: "An Ordinance to provide for licensing, regulating and restraining retail liquor dealers; to prohibit the sale of liquors without a license; to provide penalties and punishment for the violation of any provisions of this ordinance and to repeal all ordinances and parts of ordinances in conflict herewith."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That section seven of said Ordinance No. 48 be and the same is hereby amended by adding thereto the following words: "or to permit the use of musical instruments of any description therein, or permit any singing or other loud and boisterous noises in his or their said bar-room; or to conduct or permit to be conducted any lunch counter, restaurant, eating room or free lunch-counter in connection with his or their said bar-room, or permit any such lunch-counter, restaurant, eating room or free lunch-counter to be connected by any door, window, or any entrance whatever with said bar-room."

Section II. That Section V of said Ordinance No. 48 be and the same is hereby amended by inserting after the words "Now if the said _____ shall keep an orderly house and in all things comply with the provisions of said Ordinance No. 48" the following words "and all other legal city ordinances now in effect."

Section III. That Section XI of said Ordinance No. 48 be and the same is hereby amended to read as follows:- "Any person violating any provision of this Ordinance shall, upon conviction therefor, be punished by a fine of not less than Ten Dollars nor more than Fifty Dollars, or by imprisonment not exceeding twenty days, or by both such fine and imprisonment."

Read first time January 14, 1911. Rules suspended, read
second time and passed January 14, 1911.

APPROVED:

W. C. Coe
Mayor.

ATTEST:

H. C. Ellis
Recorder.

ORDINANCE NO. 50.

AN ORDINANCE amending Ordinance No. 48, entitled:
"An Ordinance to provide for licensing, regulating and re-
straining retail liquor dealers; to prohibit the sale of liquor
without a license; to provide penalties and punishment for
the violation of any provisions of this Ordinance and to repeal
all ordinances and parts of ordinances in conflict herewith."

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. That Section I of said Ordinance No. 48 be
and the same is hereby amended to read as follows:- "No per-
son or persons shall, within the corporate limits of this city,
directly or indirectly, in person or by another, sell, barter,
give away, deliver or in any manner dispose of any wine, spirit-
uous or malt liquors or fermented ciders, without first obtain-
ing a license therefor in the manner hereinafter provided, and
every person to whom such license shall be granted shall pay
into the city treasury the sum of eight hundred dollars (\$800)
per annum, payable semi-annually in advance, prior to date the
same is due, and in case of failure to pay said license, as
herein specified, the license of said applicant shall be re-
voked. All licenses granted under the provisions of this Ord-
inance shall expire December 31 of each year."

Section II. That said Ordinance No. 48 be and the same
is hereby amended by adding thereto a section which shall read
as follows: "Not more than twelve licenses shall be granted
under this ordinance."

Read first time January 14, 1911. Rules suspended,
read second time and passed January 14, 1911.

APPROVED:

W. C. Coe
Mayor.

ATTEST:

H. C. Ellis
Recorder.

ORDINANCE NO. 51.

AN ORDINANCE fixing the compensation and the bond of the City Marshal; providing for the appointment of police officers and fixing the compensation thereof; prescribing the duties of such officers and repealing Ordinance No. 3, entitled: "An Ordinance fixing bond and compensation of Marshal and authorizing employment of police officers."

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. The Marshal of the City of Bend shall receive as full compensation for his services the annual salary of \$1.00, payable in advance.

Section II. The Marshal before entering upon the duties of his office, shall execute to the City of Bend a bond in the penal sum of \$500, with good and sufficient surities, to be approved by the Common Council, conditioned upon the faithful performance of his duties according to law.

Section III. There may be appointed by the Mayor, subject to the approval of the Common Council, a Chief of Police and such other police officers and special policemen as may be required from time to time for the preservation of public order.

Section IV. Such Chief of Police and such other police officers as may be appointed under the provisions of this Ordinance shall before entering upon their respective duties subscribe an oath before the City Recorder for the faithful performance of their respective duties and of their allegiance to the constitutions of the State of Oregon and of the United States.

Section V. The Chief of Police appointed under the provisions of this Ordinance shall have supervision and control of all other police officers appointed under the provisions of this Ordinance and it shall be the duty of such Chief of Police to see that all taxes, assessments, fines and licenses are duly paid as required by ordinance, to serve all processes that may issue out of the City court; to render to the Common Council in writing a monthly statement setting forth the name of every person arrested during the calendar month preceding, the cause of such arrest and the name of the officer making the same, and perform such other duties as now is or may be prescribed by law.

Section VI. Such Chief of Police and police officers as may be appointed hereunder shall receive a monthly salary of not less than fifty nor more than one hundred and twenty-five dollars, which salary shall be determined by the Common Council under the provisions of this Ordinance.

Section VII. All police officers appointed under the provisions of this Ordinance shall hold office at the pleasure of the Common Council.

Read first time February 14, 1911.

Rules suspended, read second time Feb. 14, 1911.

Passed by the Common Council Feb. 14, 1911.

Neither approved nor vetoed by the Mayor within ten days from the passage hereof.

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE NO. 52.

AN ORDINANCE to provide for the regulating and licensing of hackmen, draymen, expressmen, and all other persons engaged in carrying passengers, baggage, freight or other truckage within the corporate limits of the City of Bend.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. No person, firm or corporation engaged in business as carriers of passengers or property, shall hire out, keep or use for hire upon the streets of the City of Bend, any vehicle of any description or name whatever, either for the conveyance of passengers or for the conveying or transportation of goods, wares or merchandise or other articles from place to place within the said City without first having obtained a license therefor from the Common Council of the City of Bend and every person to whom such license shall be granted shall pay unto the city treasury the sum of twenty (20) dollars per year, payable quarterly in advance.

Section II. Any person or persons violating any provision of this ordinance shall upon conviction therefor before the City Recorder be punished by a fine of not less than five (5) dollars nor more than twenty-five (25) dollars.

Read first time Feb. 14, 1911.

Rules suspended, read second time Feb. 14, 1911.

Passed by the Common Council Feb. 14, 1911.

Neither approved nor vetoed by the Mayor within ten days from the passage hereof.

ATTEST:

H. C. Ellis
Recorder.

ORDINANCE NO. 53.

AN ORDINANCE authorizing and empowering John Steidl and Thomas Tweet, partners, doing business under the firm name and style of Steidl and Tweet, their heirs and assigns, to construct, maintain and operate a system or systems of pipes, water mains and other necessary or convenient apparatus, and appliances as may be necessary or convenient to the furnishing of water to the inhabitants of the Lytle Acre Tracts, being described as the Northeast quarter of the Northeast quarter of Section 32, Tp. 17 S. R. 12 E., W. M., Crook County, Oregon, and to provide the conditions and regulations thereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. That John Steidl and Thomas Tweet, partners, doing business under the firm name and style of Steidl and Tweet, their heirs and assigns, are hereby authorized and empowered to construct, maintain and operate a system or systems of pipes, water mains and other necessary or convenient apparatus and appliances as may be necessary or convenient to the successful operation and maintenance of a system of water works for the purpose of supplying the inhabitants of the Lytle Acre Tracts, being described as the Northeast Quarter of the Northeast Quarter of Section 32, of Tp. 17 S. R. 12 E., W. M., Crook County, Oregon, with water; all of which said privileges and rights shall be over, along, upon and under the streets, alleys, avenues and public ways within the said Lytle Acre Tracts, a portion of the City of Bend, Crook County, Oregon.

Section II. All of said pipes, water mains, apparatus and appliances shall be so constructed, maintained and operated that the same shall be no impediment to the lawful ordinary use and

occupation of the said streets, alleys, avenues and public ways, and the said John Steidl and Thomas Tweet, their heirs and assigns, shall construct, replace and keep in order and repair, to the satisfaction of the Common Council of said City all that part or parts of said streets, alleys, avenues and public ways which it shall disturb or use in the construction, operation or maintenance of the said system or systems.

Section III. The City of Bend, Oregon, shall not be liable in any manner to the grantees herein, their heirs and assigns, for any injury that may be done to its pipes, water mains, apparatus or appliances by reason of any public work that may be made or done in the said city. Said grantee, their heirs and assigns shall be liable for and shall hold and save the City of Bend free and harmless from any and all damage of any and every nature whatsoever which may accrue to persons or property by reason of the construction, operation or maintenance of said pipes, water mains, apparatus and appliances or any part thereof.

Section IV. In consideration of the granting of this franchise the City of Bend shall at any and all times have the right and privilege to attach and connect to the said system or systems of the said grantees such fire plugs and stand-pipes as it may deem necessary for the protection in the vicinity thereof and to receive such fire protection free of charge. Provided that the said City of Bend shall at all times bear the expense of attaching, connecting, maintaining or operating said fire plugs or stand-pipes and hold and save the said grantees, their heirs and assigns, harmless from any expense or cost of such attachment or connection, or the repair of such fire plugs or stand-pipes.

Section V. This ordinance shall take effect and be in force from and after its passage and approval by the Mayor and legal publication, and the filing with the City Recorder of an acceptance of the terms of this Ordinance by the said grantees herein, to-wit: John Steidl and Thomas Tweet.

Read first time April 4, 1911.

Read second time April 11, 1911.

APPROVED April 12, 1911.

W. C. Coe
Mayor.

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE NO. 54.

AN ORDINANCE to provide for the licensing, regulating and restraining of wholesale liquor dealers; to define what a wholesale liquor dealer is within the meaning of this Ordinance and to provide punishment and penalties for the violation of any of the provisions of this Ordinance.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. A wholesale liquor dealer within the meaning of this Ordinance is one who engages in the business of selling beer and malt beverages in quantities of one barrel or more and in selling wines, ciders, whiskey and spirituous liquors in quantities of five gallons or more.

Section II. No person or persons, firm or corporation shall within the corporate limits of the City of Bend, directly or indirectly, in person or by another, sell, barter, give away or in any manner dispose of any beer or malt beverages in quantities of one barrel or more or any wines, ciders, whiskey or spirituous liquors in quantities of five gallons or more, without first obtaining a license therefor in the manner hereinafter provided and every person, firm or corporation to whom such license shall issue shall pay into the city treasury the sum of two hundred and fifty dollars per annum in advance.

Section III. No person, firm or corporation licensed under the provisions of this Ordinance shall directly or indirectly, in person or by another, sell, barter, exchange or in any manner dispose of any beer or malt beverages in quantities less than one barrel; or any wines, ciders, whiskey or spirituous liquors in quantities less than five gallons.

Section IV. No person, firm or corporation licensed under the provisions of this Ordinance shall directly or indirectly, in

person or by another, deliver or cause to be delivered to any purchaser or any person whatsoever any beer, malt beverages, wines, ciders, whiskey or spirituous liquors in any quantity less than that which they are authorized to sell under the provisions of this Ordinance, or to allow or permit any purchaser or any person to drink any of the beer, malt beverages, wines, ciders, whiskey or spirituous liquors purchased from a licensee under this Ordinance upon the premises covered by the license of such licensee.

Section V. Applications under this Ordinance shall be addressed to the City Council and specify the name of the applicant and the lot and block upon which the applicant proposes to carry on business. Before any license shall be effective the applicant shall file a surety bond in the penal sum of five hundred dollars, running to the City of Bend and conditioned that the licensee shall not violate any of the provisions of this Ordinance and such bond must be approved by the Mayor before such license shall be effective.

Section VI. Any person violating any of the provisions of this Ordinance, upon conviction therefor, shall be punished by a fine not exceeding fifty dollars or by imprisonment in the city jail not exceeding twenty days or by both such fine and imprisonment. And in case any licensee, under the provisions of this Ordinance, shall be found guilty of a violation hereof the council shall forthwith revoke the license of such licensee.

Read first time as above amended April 11, 1911.

Read second time April 25, 1911.

APPROVED:

ATTEST:

H. C. Ellis

Recorder.

W. C. Coe
Mayor.

April 25, 1911.

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the power

ORDINANCE NO. 55.

AN ORDINANCE to prevent the casting, throwing, depositing, or attaching of any placards, circulars, hand-bills, show-bills or advertisements of any descriptions whatsoever, except such as are or may be expressly provided by law, on any street, alley, public way, sidewalk or upon any public place or object in the City of Bend and to provide a penalty for the violation thereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. No person shall in person or by another, attach, place or paint any placard, poster, circular, show-bill or advertisement of any nature whatsoever, except such as are or may be expressly provided by law, upon any street or side-walk or upon any public place or object in the City of Bend or upon any fence, building or property belonging to the said City, or upon any telephone, telegraph or electric light pole or tower or upon any hitching post or curbstone in any public street, alley or way in the City of Bend.

Section II. No person shall in person or by another, cast, throw, or deposit any circulars, hand-bills or any advertising matter whatsoever in or upon any street, alley or public way in the City of Bend.

Section III. Any person or persons found guilty of violating any of the provisions of this Ordinance shall be punished by a fine not exceeding fifty dollars or by imprisonment in the City jail not exceeding twenty days.

Read the first time August 8, 1911.

Read the second time Sept. 12, 1911.

APPROVED September 12, 1911.

ATTEST:

H. C. Ellis

Recorder.

H. C. Coe
Mayor.

ORDINANCE NO. 56.

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OF
OF
OF
AN ORDINANCE authorizing and empowering The Bend Water, Light and Power Company, (an Oregon Corporation), its successors and assigns, to construct, operate and maintain a system or systems of poles, wires and other necessary or convenient structures, apparatus, appliances and appurtenances, over, along, upon and under any and all streets, avenues, alleys and public ways in the City of Bend, Oregon; in Deschutes, Oregon; in Lava Road Addition to Bend, Oregon; in Park Addition to Bend, Oregon; in North Addition to Bend, Oregon, and in that portion of Center Addition to Bend, Oregon, which lies within the corporate limits of said City of Bend for the purpose of furnishing electric lights and electric power to the public, the citizens, buildings and streets of said Additions to said City and Deschutes, Oregon.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. That The Bend Water, Light and Power Company, a corporation, duly organized, created and existing under and by virtue of the Laws of the State of Oregon, and its successors and assigns are hereby authorized and empowered to construct, erect, operate and maintain a system or systems of poles, wires and such other necessary or convenient structures, apparatus, appliances and appurtenances, over, along, upon and under any and all the streets, avenues, alleys and public ways in the City of Bend, Oregon; in Deschutes, Oregon; in Lava Road Addition to said City of Bend; in Park Addition to said City of Bend; in North Addition to said City of Bend and in that portion of Center Addition to said City of Bend which is now within the corporate limits of said City of Bend, as may be necessary or convenient to the successful furnishing of electric lights and electric power to the public,

the citizens, buildings and streets of said Deschutes, Oregon; of said Lava Road Addition to said City of Bend; of said Park Addition to said City of Bend; of said North Addition to said City of Bend, and of that portion of the said Center Addition to Bend which lies within the corporate limits of the said City of Bend.

Section II. All of said poles, wires, structures, apparatus, appliances and appurtenances to be so constructed, operated and maintained that the same shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys and public ways, and said company, its successors or assigns shall repair and replace all that part of parts of said streets, avenues, alleys and public ways which it shall disturb or use in the construction, operation and maintenance of its said system or systems. Provided, that in event the said Company, its successors and assigns, shall fail, neglect or refuse to repair and replace that part or parts of said streets, avenues, alleys or public ways, disturbed or used in the construction, operation and maintenance of its said system or systems, then, and in such event, the said City of Bend shall have the right to replace and repair the same and the expenses and costs thereof shall be paid by said Company, its successors and assigns.

Section III. The City of Bend shall not be liable to said Company, its successors and assigns for any injury that may be done to said system or systems by virtue of any public work which may be done or made in said City under and by virtue of the authority of said City, provided said City shall give reasonable notice to said Company, its successors and assigns, of such contemplated public work. Said Company, its successors and assigns shall be liable for and shall hold and save the said City harmless and free from any and all damage of any and every nature which may

accrue to persons or property by virtue of the construction, operation or maintenance of the said system or systems or any part thereof.

Section IV. This Ordinance shall be in full force and effect, from and after its passage, approval by the Mayor, legal publication and the filing of an acceptance of the terms of this Ordinance by the said The Bend Water, Light and Power Company.

Read first time, Sept. 12, 1911.

Read second time, Sept. 26, 1911.

APPROVED Sept. 26, 1911.

ATTEST:

H. C. Ellis
Recorder.

M. C. Col.
Mayor.

ORDINANCE NO. 57.

AN ORDINANCE authorizing and empowering The Bend Water, Light and Power Company, (an Oregon Corporation), its successors and assigns, to construct, operate and maintain a system or systems of pipes, hydrants, stand-pipes and other necessary or convenient structures, apparatus, appliances and appurtenances, over, along, upon and under any and all streets, avenues, alleys and public ways in the City of Bend, Oregon; in Deschutes, Oregon; in Lava Road Addition to Bend, Oregon; in Park Addition to Bend, Oregon; in North Addition to Bend, Oregon; and in that portion of Center Addition to Bend, Oregon, which lies within the corporate limits of said City of Bend for the purpose of furnishing and supplying water to the public, the citizens, buildings and streets of said Additions to said City, and Deschutes, Oregon.

BE IT ORDAINED by the Common Council of the City of Bend:

Section I. That the Bend Water, Light and Power Company, a corporation, duly organized, created and existing under and by virtue of the laws of the State of Oregon, and its successors and assigns, are hereby authorized and empowered to construct, erect, operate and maintain a system or systems of pipes, hydrants, stand-pipes and such other necessary or convenient structures, apparatus, appliances and appurtenances, over, along, upon and under any and all the streets, avenues, alleys and public ways in the City of Bend, Oregon; in Deschutes, Oregon; in Lava Road Addition to said City of Bend; in Park Addition to said City of Bend; in North Addition to said City of Bend, and in that portion of Center Addition to said City of Bend which is now within the corporate limits of said City of Bend, as may be necessary or convenient

to the successful furnishing and supplying of water to the public, the citizens, buildings and streets of said Deschutes, Oregon; of said Lava Road Addition to said City of Bend; of said Park Addition to said City of Bend; of said North Addition to said City of Bend, and of that portion of the said Center Addition to Bend which lies within the corporate limits of the said City of Bend.

Section II. All of said pipes, hydrants, stand-pipes, structures, apparatus, appliances and appurtenances to be so constructed, operated and maintained that the same shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys and public ways, and said Company, its successors and assigns shall repair and replace all that part or parts of said streets, avenues, alleys and public ways which it shall disturb or use in the construction, operation and maintenance of its said system or systems. Provided, that in event the said Company, its successors and assigns, shall fail, neglect or refuse to repair and replace that part or parts of said streets, avenues, alleys and public ways, disturbed or used in the construction, operation and maintenance of its said system or systems, then, and in such event, the said City of Bend shall have the right to replace and repair the same and the expenses and costs thereof shall be paid by said company, its successors and assigns.

Section III. The City of Bend shall not be liable to said Company, its successors and assigns for any injury that may be done to said system or systems by virtue of any public work which may be done or made in said city under and by virtue of the authority of said City, provided said City shall give reasonable notice to said Company, its successors and assigns, of such contemplated public work. Said Company, its successors and assigns,

shall be liable for and shall hold and save the said City harmless and free from any and all damage, of any and every nature which may accrue to persons or property by virtue of the construction, operation and maintenance of the said system or systems of any part thereof.

Section IV. This Ordinance shall be in full force and effect, from and after its passage, approval by the Mayor, legal publication and the filing of an acceptance of the terms of this Ordinance by the said The Bend Water, Light and Power Company.

Read first time Sept. 12, 1911.

Read second time Sept. 26, 1911.

APPROVED, Sept. 26, 1911.

ATTEST:

H. C. Ellis
Recorder.

U. C. Coe
Mayor.

ORDINANCE NO. 58.

AN ORDINANCE vacating certain parts of Block Twenty-four (24) of the original City of Bend.

WHEREAS, Wm. P. Vandever, by petition duly filed with the Recorder of the City of Bend on the 14th. day of November, 1911, prayed for the vacation of a part of Block Twenty-four (24) of said original City of Bend, according to the plat thereof as filed in the office of the County Clerk of Crook County, Oregon, and

WHEREAS, notice of the filing of said petition was given by posting notice thereof thirty days prior to the first reading of this Ordinance as shown by the affidavit of Elmer Niswonger, and

WHEREAS, it appears that Wm. P. Vandever is the owner in fee of all the property vacated by the proposed vacation.

NOW, THEREFORE; BE IT ORDAINED by the Common Council of the City of Bend:

That the plat of the original City of Bend, as filed in the office of the County Clerk of Crook County, Oregon, be and the same is hereby vacated as to Lots 4, 5, 6, 7, 8, 9 and 10 of said Block 24.

Read for first time Dec. 29, 1911.

Rules suspended and read second time Dec. 29, 1911.

APPROVED Dec. 29, 1911.

ATTEST:

W. C. Ellis
Recorder.

W. C. Coe
Mayor.

ORDINANCE NO. 59.

AN ORDINANCE to provide for the ringing of a curfew bell, specifying the hours during which it shall be lawful for persons under sixteen years of age to be upon the streets, alleys and commons within the City of Bend, prescribing certain duties for the Chief of Police in connection herewith and prescribing penalties for the violation hereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. A curfew bell shall be rung at some central point within the City of Bend at the hour of 8 o'clock P. M. of each and every day during the months of November, December, January, February, March and April inclusive and at the hour of 9 o'clock P. M. of each and every day during the months of May, June, July, August, September and October inclusive.

Section 2. No person under the age of sixteen years shall be upon any street, alley or common within the City of Bend after the hours designated in Section 1 nor until daylight of the day succeeding such hour unless such person be accompanied by a parent or guardian. Provided any such person, who by virtue of circumstances is compelled to frequent the streets, alleys or commons of the City of Bend after the hours mentioned in Section 1, may apply to the Common Council of the City of Bend for a permit to so be upon the streets, alleys or commons, and the Common Council of the City of Bend may grant the same, and any person in possession of any such permit shall not be liable to prosecution under this ordinance.

Section 3. It shall be the duty of the Chief of Police to arrange for the ringing of the bell as prescribed in Section 1.

Section 4. Any person or persons violating the terms of this Ordinance shall be punished by a fine of not more than \$20.00 and not less than \$3.00.

Read for first time Jan. 2, 1912.

Rules suspended and read second time Jan. 2, 1912.

APPROVED Jan. 9, 1912.

W. C. Coe

Mayor

ATTEST:

H. C. Ellis

Recorder.

ORDINANCE NO. 60.

AN ORDINANCE vacating certain streets and alleys in the Townsite of Lytle, now a part of the City of Bend.

WHEREAS, on December 2, 1911, Oregon Trunk Railway filed with the Recorder of the City of Bend its petition for the vacation of certain streets and alleys in said City and duly posted the notices required by law, as more particularly appears from the affidavit of Charles E. McCulloch on file with said Recorder, and

WHEREAS, the owners of the property adjoining the said streets and alleys have consented to the said vacation;

NOW, THEREFORE; BE IT ORDAINED by the Common Council of the City of Bend:

That the following described streets and alleys in said City be and are hereby vacated:

All those portions of G Street, A Street, C Street, Main Street, Fourth Street, and the alleys in Blocks Six (6), and Seven (7) in the Townsite of Lytle, now a part of the City of Bend, lying within a strip of land one hundred (100) feet in width, the same being fifty (50) feet in width on each side of and parallel with the center line of the Oregon Trunk Railway's line of railway, as the same is now located and constructed through said City of Bend.

Read for first time Jan. 2, 1912.

Rules suspended and read second time Jan. 2, 1912
and passed Jan. 2, 1912.

APPROVED Jan. 2, 1912.



President of the Council

ATTEST:



Recorder.

ORDINANCE NO. 61.

AN ORDINANCE providing and regulating the construction, equipment, alteration and repair of buildings or structures erected or to be erected in the City of Bend, Oregon, within the limits as defined herein.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. No building, annex, addition or structure shall be hereafter erected, built upon, repaired or altered within the following described territory, to wit:

Beginning at the point of intersection of Kentucky St. with the alley running north and south through Block 5 of the original plat of Bend, thence in a northeasterly direction along the center line of the alley in Blocks 5, 4, 3 and 2 to the point of intersection of said alley in Block 2 with Nevada Street; thence northerly along the west line of Block 1 of Bend to the northerly line of said Block 1, thence easterly along the north line of said Block 1 of Bend across Wall St.; thence easterly along the north line of Block 12 of Bend to the alley between Blocks 6 and 7 of North Addition to Bend; thence along said alley to the east line of said Block 7; thence southerly along said east line of Block 7 to Fir Avenue; thence easterly along Fir Ave. to 11th Street; thence northerly along 11th St. to Vermont Avenue; thence easterly along Vermont Ave. to 12th Street; thence southerly along 12th St. to the point of intersection of the alley in Block 25 of Bend and said 12th Street; thence westerly along the alley in Blocks 25 and 22 of Bend to 10th Street; thence southerly along 10th St. to Hawthorne Avenue; thence westerly along Hawthorne Ave. to the point of

intersection with Oregon Street; thence southerly along the alley in Blocks 15, 16 and 17 of Bend to Kentucky Street; thence westerly along Kentucky St. to the point of beginning,

except in pursuance and in conformity with the provisions of this ordinance.

Section 2. All party walls hereafter constructed within the limits of the territory described in Section 1 shall be constructed of stone, brick or concrete and be not less than 12 inches in thickness. All buildings, annexes, additions and structures hereafter erected within the territory as described in Section 1 shall have stone, brick or concrete foundations, which said foundations shall be 4 inches wider than the walls built upon them.

Section 3. All walls and ceilings of any building, annex, addition or structure hereafter erected or built upon within the territory described in Section 1 shall be lathed, plastered or covered with metal or other fire-resistive composition.

Section 4. No frame building shall hereafter be erected or built upon to a height of over two stories and in no case shall the combined height of the first and second stories exceed 30 feet in the clear.

Section 5. The planking and sheathing of the roofs of all such buildings, additions and structures shall not in any case be extended across the side or party wall thereof. Every building, addition and structure and the tops and sides of every dormer window thereon shall be covered and roofed with brick, tile, slate, tin, copper, iron or other fire-resistive composition. Nothing in this section shall be construed to prohibit the repairing of any shingled or other non-fire resisting roof within the limits defined by this ordinance, provided the building is not altered in height, but such repair shall be

construed a violation of this ordinance unless the party so repairing or having such roof repaired shall first obtain a permit therefor from the Common Council of the City of Bend.

Section 6. All openings in roofs for the admission of light shall have frames and sash thereof constructed of metal and glazed. All sky lights other than over elevator, stair, dumb waiter shafts and theater stage roofs shall have metal frames and sash glazed with wire glass not less than $\frac{1}{4}$ inch thick or with glass protected above and below with wire screens of not less than #12 galvanized wire and not more than 1 inch mesh. Sky lights hereafter placed in buildings of a public character over any passage way or room of public resort shall have immediately beneath the glass thereof a wire netting unless wired glass is used.

Section 7. All chimneys and flues hereafter erected, repaired or altered within the territory defined by this ordinance shall be constructed of brick only. No chimney shall be started or built upon any floor or beam of wood. When the chimney is to be cut off below in whole or in part it shall be wholly supported by stone, brick, iron or steel. All chimneys which shall, in the opinion of the Council, be dangerous in any manner whatsoever, shall be repaired and made safe or taken down. All smoke pipes and all breeching to all boilers, furnaces, stoves, ranges and fire places shall be properly connected with stacks or flues. No wood casing, furring or laths shall be placed against or cover any smoke flue or metal pipes used to convey hot air or steam. No smoke pipe shall pass through any floor, partition, ceiling, wall or roof. No stove pipe shall be placed nearer than 9 inches to any lath, plaster or board partition, ceiling or any wood work whatsoever. In all buildings

and structures hereafter erected or built upon every smoke flue shall be lined continuously on the inside with burnt clay, terra cotta, cement or plaster, made smooth on the inside from the bottom of the flue or from the throat of the fire place if the flue starts from the latter, and carried up continuously to the extreme height of the flue. Each flue shall be enclosed on all sides with not less than 8 inches of solid brick work properly bonded together, excepting only that the withes or brick work between the lined flues on the inside of the chimney may be 4 inches in thickness. The brick work of the smoke flues for all low pressure boilers, furnaces, bakers' ovens and all flues used for a similar purpose shall be at least 8 inches in thickness and lined continuously on the inside with well burnt clay, terra cotta pipe or mortar.

Section 8. Wood or combustible floors or beams under and not less than 3 feet in front and 1 foot on the side of all portable boilers shall be protected by a brick foundation, wall laid in mortar on sheet iron. A cast iron ash pan shall be placed under the boiler of width at least equal to the base of the boiler and extending at least 2 feet in front of it. All lath and plaster and wood ceilings and beams over and to a distance of not less than 4 feet in front of all boilers shall be shielded with metal or other fire-resistive composition. No combustible partition shall be within 4 feet of the sides and back and six feet from the front of any boiler, unless said partition shall be covered with metal to a height of at least 3 feet above the floor and shall extend from the end or back of the boiler to at least 5 feet in front of it, then the distance shall be not less than 2 feet from the sides and 5 feet from the front of the boiler.

Section 9. All walls and partitions in all buildings constructed within the limits defined by this ordinance shall have fire stops placed between all studding, such stops to be placed

not more than 5 feet apart.

Section 10. All attics in every building, addition or structure hereafter erected within the limits hereinbefore defined shall have an opening into the same at least 30 by 30 inches in size.

Section 11. No electrical wiring or installation of electrical apparatus or appliances for furnishing light, heat or power shall be introduced into or placed in any building, addition or structure in the City of Bend, except in compliance with the rules and regulations of the National Board of Fire Underwriters, known as the National Electrical Code, and such rules and regulations are hereby made appart of the requirements of this ordinance.

Section 12. Any person, firm or corporation found guilty of a violation of this ordinance shall be punished by a fine of not less than \$25.00 nor more than \$100.00, and each day that any building or part thereof, which has been constructed in violation of any of the provisions of this ordinance is allowed to remain so constructed shall be deemed a separate offense for which the owner or person having control of same shall be subject to prosecution hereunder.

Section 13. Inasmuch as there is urgent and immediate need for the passage of this ordinance to promote the public welfare and protect the citizens of Bend and their property from fire, an emergency is hereby declared to exist, and this ordinance shall be of full force and effect from and after its passage and approval by the Mayor.

Read for the first time March 22, 1912.

Rules suspended and read second time March 22, 1912.

APPROVED March 22, 1912.

W. C. Coe

Mayor

ATTEST:

H. C. Ellis

Recorder

ORDINANCE NO. 62.

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AN ORDINANCE to provide and regulate the manner of constructing sidewalks upon certain streets within the City of Bend; to prescribe the method of giving notice of sidewalk construction to owners of abutting property; authorizing the construction of such sidewalks by the City in certain cases and providing that in such cases the expense of construction shall be a lien upon abutting property.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. All sidewalks hereafter constructed, repaired or altered on Nevada, Oregon, Minnesota, Ohio and Kentucky Streets between Wall and Bond Streets, and on Wall and Bond Streets between Nevada and Kentucky Streets, and on Greenwood Avenue between Bond and 12th Streets within the City of Bend shall be constructed, repaired or altered in accordance with the provisions of this ordinance and not otherwise.

Section 2. All sidewalks constructed, altered or repaired upon any streets or parts of streets mentioned in Section 1, which are eighty feet wide, shall be twelve feet in width and upon streets which are sixty feet in width, such sidewalks shall be ten feet in width.

Section 3. All such sidewalks shall be constructed of concrete and cement, and shall be built on the grades as established by the City Engineer. Same shall be composed of a layer of concrete not less than three inches in thickness covered by a layer of cement not less than one inch in thickness. All such sidewalks shall have a six inch curb constructed with same; such curb shall be constructed of concrete and cement, and be flush with the top of the sidewalk and extend down eighteen inches, sloping

toward the center of the street at four inches to the foot.

Section 4. Whenever the Council shall deem it advisable to have any sidewalk constructed, altered or repaired, it shall so declare by resolution duly entered upon its minutes, which resolution shall correctly describe the property by lot and block, and thereupon the City Recorder shall cause notice to issue to the owner of such property, notifying him of the action of the City Council and stating that unless the construction of such sidewalk be commenced within thirty days from the receipt of such notice and completed within sixty days thereof, that the City of Bend will construct the same and charge the expense and costs thereof to the abutting property. Such notice shall be served in the manner prescribed by law for the service of summons in civil actions.

Section 5. When any person shall fail to construct any sidewalk or part thereof as provided in such notice, the Street Commissioner of the City of Bend shall immediately proceed to construct such sidewalks or such parts thereof, He shall keep a detailed account of all expenses and charges connected therewith, and when such sidewalk is completed shall file with the Recorder such statement or a duplicate thereof verified by his oath that the same is correct and true.

Section 6. From the date of the filing of such statement by the Street Commissioner, the costs and charges of such construction as shown by such statement shall constitute a lien upon the abutting property, and such lien shall be collected in like manner so far as practicable as are assessments for street improvements as provided in the Charter of the City of Bend.

Read first time March 22, 1912.

Rules suspended and read second time March 22, 1912.

APPROVED March 22, 1912.

ATTEST:

H. C. Ellis
Recorder

W. C. Coe
Mayor.

ORDINANCE NO. 63

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AN ORDINANCE prohibiting the discharge or firing of fireworks and other pyrotechnic display and to limit the storage and sale thereof within the limits of the City of Bend and providing a penalty for the violation thereof.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. It shall be unlawful for any person or persons to discharge, fire or use any firecrackers, rockets, torpedoes, roman candles or other fireworks or substances designed and intended for pyrotechnic display or to fire, discharge or use any pistols, canes, cannons or other appliances using blank cartridges or caps containing chlorate of potash mixture within the corporate limits of the City of Bend.

Section 2. It shall be unlawful for any person, persons, firm or corporation to sell, give away or otherwise dispose of any fireworks of any nature within the corporate limits of the City of Bend.

Section 3. Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be punished by a fine of not less than Ten Dollars nor more than Fifty Dollars.

Section 4. WHEREAS, there is immediate need for police regulation to protect the citizens of Bend and their property from fire by use of fireworks within the limits of said City, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and its approval by the Mayor.

Read for first time June 18, 1912.

Rules suspended and read second time June 18, 1912.

APPROVED June 18, 1912.

ATTEST:

H. C. Ellis
Recorder

H. E. Allen
Mayor Pro Tem

ORDINANCE NO. 64 A

An Ordinance to establish, prescribe and fix the grade of Wall St. between Bond Place and Washington St.; of Center (Front) St. between Oregon & California Sts.; of Bond St. between Nevada and Koa Sts.; of Nevada St. between Wall & Bond Sts.; of Oregon St. between the east side of the 1st alley west of Wall St. and the west side of Lava Road; of Minnesota St. between the west side of Wall St. and the west side of Lava Road; of Ohio St. between the west side of Center (Front) St; and the junction of Ohio St. and Koa Ave. west of 3rd (10th) St; of Kentucky St. from the west side of Center (Front) St. to the west side of Lava Road; of California St. from the west side of Center (Front) St. to a point 140 ft. east of the east side of Bond St; of Koa Ave. from the junction of Ohio & Koa Sts. to the west side of 5th (12th) St; of Juniper Ave. from the east side of 3rd (10th) St to the west side of 5th (12th) St; of Ironwood Ave. from the west side of Lava Road to the west side of 5th (12th) St; of Hawthorne Ave. from a point 266.18 ft. west of the west side of 3rd (10th) St. to the west side of 5th (12th) St; of Greenwood Ave. from the west side of Bond St. to the west side of 5th (12th) St; of Fir Ave. from south side of Greenwood Ave. to the west side of 5th (12th) St; of 3rd (10th) St. from the south side of Koa Ave. to the north side of Greenwood & Fir Aves; of 4th (11th) St. from the south side of Koa Ave. to the north side of Fir Ave. and of 5th (12th) St. from the south side of Koa Ave. to the south side of Evergreen Ave. of the City of Bend, according to the recorded plat thereof now on file in the office of the County Clerk of Crook County, Oregon.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1. That the official grade of Wall St. between Bond Place and Washington St.; of Center (Front) St. between Oregon & California Sts; of Bond St. between Nevada and Koa Sts; of Nevada St. between Wall & Bond Sts; of Oregon St. between the east side of the 1st alley west of Wall St. and the west side of Lava Road; of Minnesota St. between the west side of Wall St. and the west side of Lava Road; of Ohio St. between the west side of Center (Front) St; and the junction of Ohio St. and Koa Ave. west of 3rd (10th) St; of Kentucky St. from the west side of Center (Front) St. to the west side of Lava Road; of California St. from the west side of Center (Front) St. to a point 140 ft. east of the east side of Bond St; of Koa Ave. from the junction of Ohio & Koa Sts. to the west side of 5th (12th) St; of Juniper Ave. from the east side of 3rd (10th) St. to the west ~~side~~ side

of 5th (12th) St; of Ironwood Ave. from the west side of Lava Road to the west side of 5th (12th) St; of Hawthorne Ave. from a point 266.18 ft. west of the west side of 3rd (10th) St. to the west side of 5th (12th) St; of Greenwood Ave. from the west side of Bond St. to the west side of 5th (12th) St; of Fir Ave. from south side of Greenwood Ave. to the west side of 5th (12th) St; of 3rd (10th) St. from the south side of Koa Ave. to the north side of Greenwood & Fir Aves; of 4th (11th) St. from the south side of Koa Ave. to the north side of Fir Ave and of 5th (12th) St; from the south side of Koa Ave. to the south side of Evergreen Ave. of the City of Bend, according to the recorded plat thereof now on file in the office of the County Clerk of Crook County, Oregon, be and they are hereby established and fixed in accordance with the following table of elevations and grades, to-wit:

WALL STREET

		Elevation	Grade %	Up or Down
South side	Bond Place	3624.50		
North "	Nevada St	3627.50	0.625%	up
South "	" "	"		
North "	Oregon St	3623.50	1.333%	down
South "	" "	"		
North "	Minnesota St	3622.50	0.333%	"
South "	" "	"		
North "	Ohio St.	3621.50	0.333%	"
South "	" "	"		
North "	Kentucky St	3620.50	0.333%	"
South "	" "	"		
North "	California St	3624.50	1.60%	up
South "	" "	"		
North "	Washington "	3628.00	1.40%	"

CENTER OR FRONT STREET

South side	Oregon St. (extended)	Elevation	3614.00	
North "	Ohio "	3618.00	0.526%	Up
South "	" "	"		
North "	Kentucky St.	3619.00	0.333%	Up
South "	" "	"		
			0.32%	Up

North	side	California St	Elevation	3619.80	Grade
South	"	"	"	"	

BOND STREET

South	Side	Nevada St	"	3633.40	2.47% Down
North	"	Oregon St	"	3626.00	
South	"	"	"	"	0.500% Down
North	"	Minnesota St	"	3624.50	
South	"	"	"	"	0.333% Down
North	"	Ohio St	"	3623.50	
South	"	"	"	"	0.333% Down
North	"	Kentucky St	"	3622.50	
South	"	"	"	"	1.20% Up
North	"	California St	"	3625.50	
South	"	"	"	"	

NEVADA STREET

West side	Wall St	"	3627.50	
East	"	"	"	
261.68 feet east of Wall or 38.32" west, west side Bond St. at junction north Line of Greenwood and Nevada				
"		"	3633.40	2.254% Up

OREGON STREET

East side alley, 135 feet west of Wall St	"	3618.50	3.703% Up
West side Wall St	"	3623.50	
East " " "	"	"	0.357% Up
140 feet east of east line Wall St	"	3624.00	1.250% Up
West side Bond St	"	3626.00	
East " " "	"	"	0.312% Up
160 feet east of E. line of Bond St	"	3626.50	0.30% Up
260 feet east of east line of Bond St	"	3626.80	3.349% Up
475 feet east of east line of Bond; the west side Lava Road	"	3634.00	

MINNESOTA STREET

	Elevation	Grade	Up or Down
West side Wall St.	3622.50		
East " " "	" "	0.667%	Up
West side Bond St	3624.50		
East " " "	" "	0.889%	(center Up line Street)
West Side Lava Road	3627.50		

OHIO STREET

West side Front (Center) St	3618.00		
East " " "	" "	1.207%	Up
West " Wall St	3621.50		
East " " "	" "	0.667%	Up
West " Bond St	3623.50		
East " " "	" "	0.667%	Up
300 feet east of Bond St at angle point in Ohio St	3625.50	2.73	Up
West side of Lava Road	3633.00		
East " " " "	" "	3.73%	Up
200 feet west of angle point in Ohio west of 3rd or (10) St	3644.80	0.35%	Up
Junction Ohio and Koa Ave west of 3rd or (10th) St.	3645.50		

KENTUCKY STREET

West side Front (Center) St	3619.00		
East " " "	" "	0.517%	Up
West " Wall St	3620.50		
East " " "	" "	0.333%	Up
West " Bond St	3622.50		
East " " "	" "	0.286%	Up
350 feet east, east side of Bond St	3623.50	2.83%	Up
West side Lava Road	3628.00		

CALIFORNIA STREET

West side of Front (Center) St	3619.80		
East " " "	" "	1.620%	Up
West side Wall St	3624.50		
East " " "	" "	0.333%	Up
West " Bond St	3625.50		
East " " "	" "	0.351%	Up
140 feet east of E, side Bond	3626.00		

KOA AVENUE

	Elevation	Grade
Junction, Ohio & Koa	3645.50	
East side 3rd (10th)	"	1.75% Down
West side 4th (11th) St	3642.00	
East " "	"	1.571 Down
West Side 5th (12th) St.	3636.50	

JUNIPER AVENUE

East side of 3rd (10th) St	"	3638.50	1.480% Down
West " 4th (11th) "	"	3634.00	
East " " "	"	"	0.571% Down
West " 5th (12th) "	"	3632.00	

IRONWOOD AVENUE

West side Lava Road & Oregon	"	3634.00	
East " 3rd (10th) St	"	"	0.428% Down
West " 4th (11th) St	"	3632.50	
East " " "	"	"	2.143% Down
West " 5th (12th) "	"	3625.00	

HAWTHORN AVENUE

266.18 feet west of west side 3rd (10th) St	"	3626.50	0.375 Down
West side of 3rd (10th) St	"	3625.50	
East " " "	"	"	0.714% Down
West " of 4th (11th) "	"	3623.00	
East " " "	"	"	1.143% Down
West side of 5th (12th) "	"	3619.00	

GREENWOOD AVENUE

West side Bond St.	"	3633.40	
East " " Place	"	"	
134. west of west side Fir	"	3633.40	4.03% Down
West side Fir St & 3rd (10th)	"	3628.00	
East side " " "	"	"	1.714% Down
West " 4th (11th) St.	"	3622.00	
East " " "	"	"	1.714% Down
West " 5th (12th) St.	"	3616.00	

FIR AVENUE

South side Greenwood Ave.	"	3628.00	
North " " "	"	"	0.62% Down
West " 4th (11th) St	"	3625.50	
East " " "	"	"	0.63% Down

West side 5th (12th) St Elevation 3623.00

THIRD (TENTH OLD) STREET

South Side Koa Ave	Elevation	3645.50	
North " "	" "	" "	
			2.233% Down
South " Juniper Ave	"	3638.50	
North " "	" "	" "	
			1.579% Down
South " Ironwood "	"	3634.00	
North " Oregon St. 37.65 feet north of Ironwood	"	"	
			3.239% Down
South side Hawthorn Ave.	"	3625.50	
North " "	" "	" "	
			0.833% Up
South " Greenwood "	"	3628.00	
North " " & Fir "	" "	" "	

FOURTH (ELEVENTH Old) STREET

South side Koa Ave.	Elevation	3642.00	Grade
North " "	" "	" "	
			2.667% Down
South " Juniper Ave	"	3634.00	
North " "	" "	" "	
			0.500% Down
South " Ironwood Ave	"	3632.50	
North " "	" "	" "	
			3.167% Down
South " Hawthorn "	"	3623.00	
North " "	" "	" "	
			0.333% Down
South " Greenwood "	"	3622.00	
North " "	" "	" "	
			3.202% Up
South " Fir Ave.	"	3625.50	
North Side " "	" "	" "	

FIFTH (TWELFTH) STREET

South side Koa Ave.	Elevation	3636.50	
North " "	" "	" "	
			1.50% Down
South " Juniper Ave.	"	3632.00	
North " "	" "	" "	
			2.333% Down
South " Ironwood Ave.	"	3625.00	
North " "	" "	" "	
			2.00% Down
South " Hawthorn "	"	3619.00	
North " "	" "	" "	
			1.000% Down
South " Greenwood "	"	3616.00	
North " "	" "	" "	
			2.383% Up
South " Fir Ave.	"	3623.00	
North " "	" "	" "	
			1.25% Down
South " Vermont "	"	3621.50	
North " "	" "	" "	
			1.00% Down
South " Evergreen Ave.	"	3620.50	

Section 2: The word "grade" as used in this Ordinance shall be construed to mean the elevation of the building line at the point or points where the elevations are established, by this ordinance.

Section 3: All elevations in this ordinance are and shall be reckoned in reference to the United States Geological Survey Bench Mark as established on West Side of Wall Street between Nevada St. and Bond Place according to the recorded plat of the City of Bend, Crook County, Oregon, as now on file in the office of the County Clerk in and for said County and State.

Section 4: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Read first time June 21, 1912.

Read second time July 9, 1912.

APPROVED July 9, 1912.

ATTEST:

Mayor

Recorder

ORDINANCE NO. 64. B

AN ORDINANCE authorizing and empowering The Farmers National Telephone Company, its successors and assigns, to construct, maintain and operate a system or systems of poles, wires and other apparatus and appliances necessary or convenient to the successful operation by it of a system of telephone and telegraph in the City of Bend, Oregon.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That The Farmers National Telephone Company, a co-operative association, duly organized and existing under and by virtue of the laws of the State of Oregon, and its successors and assigns, are hereby authorized and empowered to construct, maintain and operate a system or systems of poles and wires and other apparatus and appliances necessary or convenient to the successful operation by it of a system of telephone and telegraph in the City of Bend, Crook County, Oregon, over, along and upon the streets, avenues, alleys, highways and public grounds in the City of Bend, Crook County, Oregon.

Section 2. All of said poles, wires, apparatus and appurtenances shall be so constructed, operated and maintained that the same shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys, highways and public grounds, and said Company shall construct, make, replace and keep in order and repair, to the satisfaction of the Common Council of said City, all that part of said streets, avenues, alleys, highways and public grounds which it shall disturb or use in the construction, operation and maintenance of ^(s) said system or systems. In the event that said grantee shall fail and neglect to construct, make, replace, keep in order and repair all that part of said streets, avenues, alleys, highways and public grounds occupied or used by its system or systems as above set forth, then and in that event the said City shall have a right to construct, make, replace and keep the same in order and repair, and the expenses and costs thereof shall be paid

by the said grantee, its successors and assigns.

Section 3. The City of Bend, Oregon, shall not be liable in any manner to said grantee, its successors and assigns, for any injury that may be done to its poles, wires or other apparatus or appurtenances by reason of the breaking or overflowing of any water from any sewer or drain, or from the breaking of any gas or water pipe by reason of the change in any grade on any of the streets, avenues, alleys, highways or public grounds, or by reason of any other public work which may be done or made in said City. Said grantee, its successors and assigns, shall be liable for and shall hold and keep the said City free and harmless from any and all damage of any and every nature whatsoever which may accrue to persons or property by reason of the construction, maintenance or operation of said poles, wires, apparatus or appurtenances or any part thereof.

Section 4. This Ordinance shall take effect and be in force from and after its passage and its approval by the Mayor and the filing with the City Recorder of an acceptance of the terms of this Ordinance by the said grantee herein, to-wit: The Farmers National Telephone Company.

Read First Time Sept. 24, 1912

Read Second Time Oct. 8, 1912.

APPROVED Oct. 8, 1912.

Attest:

H. C. Ellis

Recorder

G. J. Tutman
Mayor

ORDINANCE NO. 65.

AN ORDINANCE providing for the issuance of sewerage bonds of the City of Bend, Oregon, in the amount of Sixty Thousand Dollars.

WHEREAS, pursuant to and in strict compliance with the provisions of the Constitution and laws of the State of Oregon, and of the charter of the City of Bend, an election was duly and legally called and held in said City on the 20th day of June, 1912, at which election more than a majority of all the votes cast were in favor of the issuance of bonds of said City in the amount of Sixty Thousand Dollars (\$60,000), for the purpose of securing a complete and adequate system of sewerage for said City, and

WHEREAS, said bonds have been duly advertised for sale and sold to Ferson, Son & Company, of Chicago, Illinois, and the City and State of New York, at a price in excess of the par value thereof; and

WHEREAS, all other requirements of law that are prerequisite to the lawful issuance of said bonds have been in all things complied with, except the form and details of said bonds and interest coupons to be thereto attached have not as yet been finally determined: Now, therefore,

BE IT ORDAINED by the Common Council of the City of Bend, State of Oregon:

Section 1. That for the purpose of providing funds for the purpose of securing a complete and adequate system of sewerage for said city, there is hereby ordered and directed to be issued the negotiable coupon bonds of said city in the amount of Sixty Thousand Dollars (\$60,000), consisting of sixty (60) bonds of the denomination of One Thousand Dollars (\$1,000) each, numbered from one to sixty (1-60) inclusive. Said bonds shall each be dated September 2, 1912; shall bear interest at the rate of six per

centum (6%) per annum, payable semi-annually on the first day of March and of September, and shall mature September 1, 1932. Both principal and interest of said bonds shall be payable in lawful money of the United States of America at the Fiscal Agency of the State of Oregon, in the City and State of New York. In the event of the discontinuance of said Fiscal Agency, then at the Banking House of Hanover National Bank, in the City and State of New York.

Section 2. That said bonds and coupons with the necessary variations to indicate the different numbers, shall be in substantially the following forms, respectively, to-wit:

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF CROOK
CITY OF BEND
SEWERAGE BOND.

No. _____.

\$1,000.

KNOW ALL MEN BY THESE PRESENTS, that the City of Bend, in the County of Crook, State of Oregon, a municipal corporation duly organized and existing under the laws of said State, acknowledges itself indebted, and for value received hereby promises to pay bearer on the first day of September, A. D. 1932, the principal sum of One Thousand Dollars, together with interest on said sum from the date hereof until paid at the rate of six per centum (6%) per annum, payable semi-annually on the first day of March and of September, upon presentation and surrender of the interest coupons hereto attached as they severally become due; both principal and interest payable in lawful money of the United States of America at the Fiscal Agency of the State of Oregon in the City and State of New York, In the event of the discontinuance of said Fiscal Agency, then at the Banking House of Hanover National Bank in the City and State of New York. And for the prompt payment of the principal and interest of this bond as they become due, the full faith, credit and resources of said city of Bend are hereby irrevocably pledged.

THIS BOND is issued for the purpose of securing a complete and adequate system of sewerage for said city, pursuant to the favorable vote of more than a majority of the qualified voters of said city at an election duly and legally called and held for that purpose, and pursuant to resolutions and ordinances of the Common Council of said city duly passed, approved and adopted, and is authorized by and issued in full and strict conformity with the requirements of the charter of said city and of the Constitution and laws of the State of Oregon.

And it is hereby certified and recited that all acts, conditions and things required by the Constitution and Laws of the State of Oregon and of the charter of said city to exist, happen and

be performed precedent to and in the issuance of this bond have existed, happened and been performed in regular and due form, time and manner as required by law, and that the amount of this bond, together with all other indebtedness of said city does not exceed any limitation imposed by either the Constitution, laws of the State of Oregon, or the charter of said city.

IN WITNESS WHEREOF, said city of Bend has caused this bond to be signed by its Mayor and attested by its Recorder, and its corporate seal to be hereto affixed, and the interest coupons hereto attached to be signed by the lithographed signatures of said Mayor and Recorder, this Second day of September, A. D. 1912.

Attest:

Mayor

Recorder

(Form of Coupon)

No. _____

\$30.00

March
On the First day of September, 19____, the City of Bend, in the County of Crook, State of Oregon, will pay to bearer Thirty Dollars, lawful money of the United States of America, at the Fiscal Agency of the State of Oregon, in the City and State of New York. In the event of the discontinuance of said Fiscal Agency, then at the Banking House of Hanover National Bank in the City and State of New York, being the semi-annual interest then due on its Sewerage Bond dated the Second day of September, A. D. 1912, No. _____.

Attest:

Mayor

Recorder

Section 3. That said bonds and coupons when duly prepared in the form aforesaid shall each be signed by the Mayor and attested by the Recorder and shall have the corporate seal of the City affixed thereto, and shall be delivered to the purchasers thereof upon payment of the purchase price therefor. The proceeds of said bonds shall be deposited in a special fund and used and applied solely for the purpose recited in section one of this ordinance; provided, however, that it is understood that the purchasers shall not be bound to see to the application of the purchase money.

Section 4. That for the purpose of making provision for the payment of the principal and interest of said bonds there shall be and is hereby levied annually for the years 1912 to 1932, both inclusive, sufficient to raise annually in each of said years the sum of Thirty Six Hundred Dollars (\$3,600), the amount of the annual interest and in the years 1922 to 1931, both inclusive, the further sum of Six Thousand Dollars (\$6,000) as a sinking fund to pay the principal bonds at maturity. Said moneys so provided for are hereby and shall be sacredly pledged for the payment of the interest and principal of said bonds as the installments thereof respectively fall due, and for no other purpose whatever.

Section 5. All former resolutions or ordinances in conflict with the provisions of this ordinance are hereby to the extent of any such conflict amended and repealed.

Oct. 31, 1912, Read first time.

Oct. 31, 1912, Rules suspended.

Oct. 31, 1912, Read second time.

Passed by the Common Council Oct. 31, 1912.

Approved October 31st, 1912.

Attest:

H. C. Ellis
Recorder

G. R. Putnam
Mayor

ORDINANCE NO. 66.

AN ORDINANCE authorizing and empowering The Bend Water, Light & Power Company, an Oregon corporation, its successors and assigns, to construct, operate and maintain a system or systems of poles, wires and other necessary or convenient structures, apparatus, appliances and appurtenances, over, along, upon and under any and all streets, avenues, alleys and public ways for a period of thirty years in the Lytle Acre Tracts, being more specifically described as the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, in Township 18, South of Range 12 East W. M. and in Wiestoria, according to the recorded plat thereof now on file in the office of the County Clerk in and for Crook County, Oregon, all of which said territories lie within the corporate limits of said City of Bend, for the purpose of furnishing to the public, the citizens, buildings and streets of said tracts of land and said additions to said City, electric light and electric power.

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That the Bend Water, Light & Power Company, a corporation duly organized, created and existing under and by virtue of the laws of the State of Oregon, and its successors and assigns, are hereby authorized and empowered to construct, erect, operate and maintain a system or systems of poles, wires and such other necessary or convenient structures, appliances and appurtenances over, along, upon and under any and all streets, avenues, alleys and public ways in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, in Township 18 South, of Range 12 East W. M. and in Wiestoria, according to the recorded plat thereof now on file in the office of the County Clerk in and for Crook County, State of Oregon, for the period of thirty years for the purpose of furnishing electric light and electric power to the public, the citizens and buildings within said territory.

Section 2. All of said poles, wires, structures, apparatus, appliances and appurtenances to be so constructed, operated and maintained, that the same shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys and public ways, and said company, its successors or assigns, shall repair and replace all that part or parts of said streets, avenues, alleys and public ways which it shall disturb or use in the construction, operation and maintenance of its said system or systems. Provided, however, that in event said company, its successors and assigns, shall fail, neglect or refuse to repair and replace that part or parts of said streets,

avenues, alleys or public ways, disturbed or used in the construction, operation and maintenance of its said system or systems, then and in such event, the said City of Bend shall have the right to replace and repair the same and the expenses and costs thereof shall be paid by said company, its successors and assigns.

Section 3. The City of Bend shall not be liable to said company, its successors and assigns, for any injury that may be done to said system or systems by virtue of any public work which may be done or made in said city under and by virtue of the authority of said city, provided said city shall give reasonable notice to said company, its successors and assigns, of such contemplated public work. Said company, its successors and assigns, shall be liable for and shall hold and save the said city harmless and free from any and all damage of any and every nature which may accrue to persons or property by virtue of the construction, operation or maintenance of the said system or systems or any part thereof.

Section 4. This ordinance shall be in full force and effect, from and after its passage, approval by the Mayor, legal publication and the filing of an acceptance of the terms of this ordinance by the said The Bend Water, Light & Power Company.


Read first time Oct. 17, 1912.

Read second time Nov. 12, 1912.

Approved Nov. 12, 1912.

Attest:

H. C. Ellis
Recorder


Mayor

ORDINANCE NO. 67.

AN ORDINANCE to amend Ordinance No. 50 Entitled "An Ordinance Amending Ordinance No. 48, Entitled 'An Ordinance to provide for licensing, regulating and restraining retail liquor dealers, to prohibit the sale of liquor without a license, to provide penalties and punishment for the violation of any provision of this Ordinance and to repeal all Ordinances and parts of Ordinances in conflict herewith.'"

BE IT ORDAINED by the Common Council of The City of Bend:

Section 1. That Section 1 of Ordinance No. 50 above entitled be and the same is hereby amended to read as follows:

Section 2. No person, persons, firm or corporation shall within the corporate limits of the City of Bend directly or indirectly in person or by another sell, exchange, give away, or in any manner dispose of any wine, spirituous, malt liquor or fermented cider without first obtaining a license therefor in the manner hereinafter provided, and every person, firm or corporation to whom such license shall be granted shall pay into the City Treasury the sum of \$1500.00 per annum payable semi-annually in advance prior to the date the same shall become due, and in case of failure to pay said license as herein provided, the license of said licensee shall be revoked. All licenses granted under the provision of this Ordinance shall expire on the 31st day of December of each year.

Section 3. Inasmuch as there is urgent need for an increase in the amount of money paid for retail liquor license within the City of Bend owing to local conditions and that it is imperative and necessary the amount of said license be raised, an emergency is hereby declared to exist and this Ordinance shall be in full force and

effect from and after its passage by the Common Council and approval by the Mayor.

Read first time December 13, 1912.

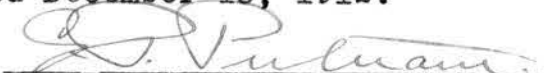
Rules suspended December 13, 1912.

Read second time December 13, 1912.

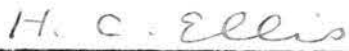
Passed by the Common Council Dec. 13, 1912.

Approved December 13, 1912.

Attest:



Mayor



Recorder

ORDINANCE NO. 68.

AN ORDINANCE to amend an Ordinance entitled "An Ordinance to amend an Ordinance, entitled an Ordinance fixing the compensation and bond of the Treasurer and defining ~~his~~ duties."

BE IT ORDAINED by the Common Council of the City of Bend:

Section 1. That Section One of the Ordinance last above entitled be and the same is hereby amended to read as follows:

Section 2. The Treasurer shall receive from the City of Bend an annual salary of \$100.00 per annum, payable quarterly.

Read first time Dec. 13, 1912.

Rules suspended Dec. 13, 1912

Read second time Dec. 13, 1912.

Passed by the Common Council Dec. 13, 1912.

Approved December 13, 1912.

Attest:

H. C. Ellis

Recorder

J. S. Rutledge
Mayor

ORDINANCE NO. 69

AN ORDINANCE to amend Ordinance No. 66 entitled An Ordinance to amend an ordinance No. 50 entitled An Ordinance amending Ordinance No. 48 entitled An Ordinance to provide for licensing, regulating and restraining retail liquor dealers, to prohibit the sale of liquor without a license, to provide penalties and punishment for the violation of any of the provisions of this ordinance and to repeal all ordinances and parts of ordinances in conflict herewith.

BE IT ORDAINED by the Common Council of the City of Bend:

That Section 1 of said Ordinance No. 50 be and the same is hereby amended as follows:

Section 1. No person or persons shall, within the corporate limits of the City of Bend, directly or indirectly, in person or by another, sell, barter, give away, deliver or in any manner dispose of any wine, spirituous or malt liquors or fermented ciders, without first obtaining a license therefor in the manner hereinafter provided, and every person to whom such license shall be granted shall pay unto the City Treasurer the sum of \$1200. per annum, payable in advance on the 1st day of January of each year. And in case of failure to pay said license, as herein specified, no license shall be granted. All licenses granted under the provisions of this ordinance shall expire December 31st of each year.

Section 2. Provided, that on the 1st day of May, 1913, the number of saloon licenses granted by the City Council of the City of Bend shall be limited to five (5) and on said date of May 1st, 1913, the persons licensed hereunder shall pay to the City Treasurer the proportional sum as required by this ordinance, to-wit: the sum of Eight Hundred Dollars (\$800.) as the license due the City of Bend for such license during the remainder of the year 1913. And provided further that for the period beginning January 1st, 1913, and ending April 30, 1913, all retail liquor dealers licensed by the City of Bend shall pay unto the City Treasurer the sum of Two Hundred Dollars (\$200.) for such period, payable prior to January 1st, 1913.

Section 3. All ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Whereas there is great and imperative need that this Ordinance take effect at once to avoid strife and discord and to protect the citizens of The City of Bend and their property, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read first time Dec. 18, 1912.

Rules suspended Dec. 18, 1912

Read second time Dec. 18, 1912.

Passed by the Common Council Dec. 18, 1912.

Approved December 18, 1912.

Attest:

H. C. Ellis
Recorder

J. S. Putnam
Mayor

ORDINANCE NO. 70.

AN ORDINANCE granting to the Standard Oil Company, a corporation, permission to locate, erect, operate and maintain any warehouse or tankage, or both, on a certain tract of land described as follows:

Beginning at a point in the Northeast quarter of the northeast quarter of Section thirty two (32) Township seventeen (17) South, Range twelve (12) East, Willamette Meridian, which point is south 436 feet and 704.83 feet west from the northeast corner of said northeast quarter of the northeast quarter of said section. Thence N89° 57' W 131.17 feet, thence S 0° 19' 30" E 200.22 feet thence S 89° 58' E 91.67 feet, to the intersection with the west line of the Oregon Trunk Railroad, thence north, along the west line of the right of way 203.61 feet more or less to the point of beginning, being that portion of Tract 16, Lytle Acreage lying west of the Railroad, and lying and being in Crook County, Oregon, and within the corporate limits of Bend,

for the storage of petroleum and its products.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1. The Standard Oil Company, a corporation, having asked permission to locate, erect, operate and maintain, a warehouse, tankage, or both, on a certain tract of ground located in the corporate limits of the City of Bend, Oregon, more particularly described as follows:

Beginning at a point in the Northeast quarter of the northeast quarter of Section thirty-two (32) Township seventeen (17) South, Range twelve (12) East, Willamette Meridian which point is south 436 feet and 704.83 feet west from the northeast corner of said northeast quarter of the northeast quarter of said section, thence N 89° 57' W 131.17 feet thence S 0° 19' 30" E 200.22 feet, thence S 89° 58' E 91.67 feet, to the intersection with the west line of the Oregon Trunk Railroad, thence north, along the west line of the right of way 203.61 feet more or less to the point of beginning, being that portion of Tract 16, Lytle Acreage, lying west of the Railroad, and lying and being in Crook County, Oregon, and within the corporate limits of Bend,

for the storage of petroleum and its products, and the same having been considered by the City Council, it is hereby ordained, and permission is hereby given and granted to the Standard Oil Company, a

corporation, permission to locate, erect, operate and maintain a warehouse, tankage, or both, on a certain tract of ground located in the corporate limits of the City of Bend, Oregon, more particularly described as follows:

Beginning at a point in the Northeast quarter of the northeast quarter of Section thirty-two (32) Township seventeen (17) South, Range twelve (12) east, Willamette Meridian, which point is south 436 feet and 704.83 feet west from the northeast corner of said northeast quarter of the northeast quarter of said section, Thence N 89° 57' W 131.17 feet, thence S 00° 19' 30" E 200.22 feet, thence S 89° 58' E 91.67 feet, to the intersection with the west line of the Oregon Trunk Railroad, thence north, along the west line of the right of way 203.61 feet more or less to the point of beginning, being that portion of Tract 16, Lytle Acreage, lying west of the Railroad, and lying and being in Crook County, Oregon, and within the corporate limits of Bend,

for the storage of petroleum and its products.

Section 2. This Ordinance shall take effect and be in force from and after its passage, and approval by the Mayor as provided by law.

Read first time Dec. 18, 1912.

Read Second time Dec. 30, 1912.

Passed by the Common Council Dec. 30, 1912.

Approved December 30, 1912.

Attest:

H. C. Ellis
City Recorder.

G. J. Putnam
Mayor

ORDINANCE NO. 71.

AN ORDINANCE vacating certain parts of Lots 1 and 13, Block 2; Block 1; Lots 1 and 17 Block 7; Block 8; Lots 9 to 16 Block 9; all in Wiestoria, and Lots 1 to 6 Block 16; Lots 1 to 8 Block 17; and lots 1 to 8 Block 32 of Center Addition.

WHEREAS L. D. Wiest, by petition duly filed with the Recorder of the City of Bend, on the 4th day of January, 1913, prayed for the vacation of

Lots 1 and 13, Block 2; Block 1; Lots 1 and 17 Block 7; Block 8; Lots 9 to 16 Block 9 all in Wiestoria, and also Lots 1 to 6, Block 16; Lots 1 to 8, Block 17; and Lots 1 to 8 Block 32 of Center Addition, according to the Plat thereof as filed in the office of the County Clerk of Crook County, Oregon, and

WHEREAS notice of the filing of said petition was given by posting notice thereof thirty days prior to the first reading of this Ordinance as shown by the affidavit of L. D. Wiest, and

WHEREAS it appears that L. D. Wiest is the owner, in fee, of all the property vacated by the proposed vacation,

NOW, THEREFORE, be it Ordained by the Common Council of the City of Bend:

That the plat of Wiestoria and Center Addition, as filed in the office of the County Clerk, of Crook County, Oregon, be and the same is hereby vacated as to lots 1 and 13 Block 2; Block 1; Lots 1 and 17, Block 7; Block 8; and Lots 9 to 16 Block 9, of Wiestoria; Lots 1 to 6, Block 16; Lots 1 to 8, Block 17; Lots 1 to 8, Block 32, of Center Addition.

Read first time Feb. 5th, 1913.

Rules suspended and read the second time Feb. 5, 1913.

Approved

A. E. Allen
Mayor pro tem

Attest:

H. C. Ellis
Recorder

ORDINANCE NO. 72

AN ORDINANCE authorizing and empowering K. B. Miller, his heirs, executors, administrators and assigns to construct, operate and maintain a system or systems of poles, wires and other necessary or convenient structures, apparatus and appliances over, along, upon and under any and all streets, avenues, alleys and public ways within the corporate limits of the City of Bend, Oregon, for the purpose of constructing, operating and maintaining a system or systems of telegraph and telephone, and for the further purpose of furnishing telephone and telegraph service to the public and citizens and buildings of said City of Bend, Oregon, for a period of twenty (20) years from the day which this ordinance shall become in full force and effect.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1.

That K. B. Miller, his heirs, executors, administrators and assigns be and they are hereby authorized and empowered to construct, operate and maintain a system or systems of poles, wires and such other necessary or convenient structures, apparatus and appliances over, along, upon and under any and all the streets, avenues, alleys and public ways within the corporate limits of the City of Bend, Oregon, for a period of twenty (20) years from the day which this ordinance shall be in full force and effect, as may be necessary or convenient to the successful furnishing of telegraph and telephone service to the public, the citizens and the buildings of said City of Bend, Oregon.

Section 11.

That the said poles, wires, structures, apparatus and appliances to be so constructed, operated and maintained shall be no impediment to the ordinary use and occupation of said streets, avenues, alleys and public ways of said City of Bend, and the said K. B. Miller,

his heirs, executors, administrators and assigns shall replace and repair all that part or parts of said streets, avenues, alleys and public ways which he or they shall disturb or use in the construction, operation and maintenance of its said telegraph or telephone system or systems, provided, however, that in the event the said K. B. Miller, his heirs, executors, administrators or assigns shall fail, neglect or refuse to repair and replace that part or parts of said streets, avenues, alleys or public ways disturbed or used in the construction, operation and maintenance of its said system or systems, then and in such event said City of Bend shall have the right to replace and repair the same and the expense and costs thereof shall be paid by said K. B. Miller, his heirs, executors, administrators and assigns, and shall become a lien upon said system or systems in event of the failure to pay such costs and expenses.

Section 111.

The City of Bend shall not be liable to the said K. B. Miller, his heirs, executors, administrators or assigns for any injury that may be done to said system or systems by virtue of any public work which may be done or made in said City under and by virtue of the authority of said City, provided that said City shall first give reasonable notice of such contemplated public work to said K. B. Miller, his heirs, executors, administrators and assigns. The said K. B. Miller, his heirs, executors, administrators and assigns shall be liable for and shall hold and save the said City of Bend harmless and free from any and all damage of any and every nature which may accrue to persons or property by virtue of the construction, operation or maintenance of said system or systems, or any part thereof.

Section IV.

THIS ORDINANCE shall be in full force and effect from and after its passage, approval by the Mayor and the filing of the acceptance of the terms hereof by the said K. B. Miller.

Read first time December 30, 1912

Read second time March 4, 1913.

Approved March 4, 1913

ATTEST: _____ Recorder -140-

MAYOR

ORDINANCE NO. 73

AN ORDINANCE to regulate the sale of intoxicating liquors to habitual drunkards, or persons in the habit of becoming intoxicated, or who have the habit of drinking intoxicating liquors to excess, providing a method for the formation of a black list, making it unlawful for black listed persons or minors to obtain intoxicating liquors, or loitering in or about places where intoxicating liquors are sold, and to provide penalties for the violation thereof.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section I.

Upon the written request of any relative or guardian of any person who is an habitual drunkard or in the habit of becoming intoxicated, or who is in the habit of drinking intoxicating liquors to excess or upon the written request of the County Judge of Crook County, or any Sheriff or Deputy Sheriff, or the Chief of Police of the City of Bend, or of the Common Council of the City of Bend, it shall be the duty of the Recorder of the City of Bend to issue notices signed by him under the seal of the City of Bend directed To All Whom It May Concern, warning them against selling, bartering, giving away, treating, or in any manner disposing of any intoxicating, spirituous, vinous or malt liquors or any hard cider to such persons as may be named in the request above mentioned, and such notice shall be by said Recorder placed in the hands of the Chief of Police of the City of Bend for service, and the Chief of Police shall forthwith serve notice by delivering a copy thereof certified to by him as such Chief of Police to the proprietor of each place in the City of Bend where intoxicating, spirituous, vinous or malt liquors or hard cider are kept for sale.

Section II.

Proprietors of each and every saloon, tippling house, bar room, or drinking shop or other place where intoxicating liquors are kept for sale shall post in a conspicuous place in his place of business a notice in the following form, to-wit:

"NOTICE is hereby given that an order has been issued and served upon the proprietor of this place prohibiting the sale, battering, giving away, treating or in any manner disposing of any intoxicating, spirituous, vinous or malt liquors or hard cider to any person whose name is attached hereto- to-wit:"

Section III.

Whenever a notice shall be served as prescribed by Section I of this Ordinance upon the proprietor of any bar room, drinking shop or other place where intoxicating liquors may be kept for sale, the proprietor of such place shall forthwith attach the name of the person or persons named in said notice to the notice posted in his place of business, as provided by Section II of this Ordinance; and any proprietor of any place in the City of Bend where intoxicating, spirituous, vinous or malt liquors or hard cider shall be kept for sale, who shall fail to keep said notice posted as provided by Section II of this Ordinance, or who shall fail to forthwith attach thereto the name of any person named in any notice served upon him, as provided by Section I of this Ordinance, shall, upon conviction thereof in the Recorder's Court of the City of Bend, be punished by a fine of not less than \$10. nor more than \$100., or by imprisonment in the City Jail not less than five days nor more than fifty days, or by both such fine and imprisonment.

Section IV.

If the proprietor or any employee therein of any licensed saloon, bar room, drinking place or other place where intoxicating liquors are kept for sale, shall sell, barter, give away, treat, or in any manner dispose of any intoxicating, spiritous, vinous or malt liquors or hard cider, to any person named in any notice issued or provided under Section I of this Ordinance, and served upon such proprietor, provided by said Section II of this Ordinance, upon conviction thereof in the Recorder's Court for the

City of Bend, he shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25. nor more than \$100. or by imprisonment in the City Jail for not less than ten days nor more than fifty days, or by both such fine and imprisonment; and it shall not be a defense in a prosecution of the provisions of this Section that the person to whom such liquor shall be sold or disposed of is not an habitual drunkard or in the habit of becoming intoxicated, provided such notice shall have been issued by the Recorder of the City of Bend pursuant to the written request of any person authorized by this Ordinance to make such request and shall have been served upon such proprietor in the manner provided by this Ordinance.

Section V.

It shall be unlawful for any person who has been black listed by the serving of notices, as provided in this Ordinance, upon proprietors of places where intoxicating liquors are sold, to go into or loiter about or ask for any intoxicating liquors to be served to him in any such place of business, and any person who has been blacklisted in the manner provided in this Ordinance who shall go into any saloon or place of business where intoxicating liquors are kept for sale at retail, or loiter about any such place, or shall solicit the proprietor or any employee of any such place to sell, give away, or in any manner dispose of to him any intoxicating liquors, whether the same are being paid for by himself or by some other person, shall be deemed guilty of misdemeanor, and upon conviction thereof in the Recorder's Court of the City of Bend, shall be punished by a fine of not less than ~~five~~ \$20. nor more than \$50. or by imprisonment in the City jail not less than five days nor more than twenty-five days, or by both such fine and imprisonment.

Section VI.

It shall be unlawful for any minor under the age of 21 years to go into, enter, remain in or loiter about any saloon, bar room, drinking shop, for any purpose whatsoever, or to solicit the proprietor of any saloon, bar room or drinking shop, or any employee therein to sell, give away, or in any manner dispose of to him any intoxicating liquors or beverages of any kind, whether the same are to be paid for by himself or another, or to make any representations to any proprietor of any such saloon, bar room, or drinking shop, or any employee therein, either directly or indirectly, that such minor is of the age of 21 years or old enough to be entitled to purchase intoxicating liquors or beverages in a saloon, bar room or drinking shop, and any person under the age of 21 years who shall violate any of the terms and provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the City jail not less than two days nor more than thirty days, or by both such fine and imprisonment.

Section VII.

Any person other than the proprietor of any licensed bar room, drinking shop or other place where intoxicating liquors are kept for sale within the City of Bend, or any employee of any such proprietor, who shall sell, barter, give away, treat, or in any manner dispose of any intoxicating, spirituous, vinous or malt liquors or any hard cider, to any person or persons blacklisted by the provisions of this Ordinance, knowing at the time that such person or persons have been black listed, shall be deemed guilty of a misdemeanor and upon conviction thereof in the Recorder's Court of the City of Bend shall be punished by a fine of not less than \$25. nor more than \$100. or by imprisonment in the City Jail not less than ten nor more than

fifty days, or by both such fine and imprisonment.

Read first time April 8th, 1913.

Rules suspended April 8th, 1913.

Read second time and passed by the Common Council April 8, 1913

APPROVED April 8, 1913.

ATTEST:

Mayor

Recorder

ORDINANCE NO. 74

AN ORDINANCE to provide for the licensing of real estate dealers and locators, prescribing the conditions under which they shall carry on this business; defining what the terms "real estate dealer" and "locator" mean within the provisions of this ordinance and prescribing penalties for the violation of the provisions hereof.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section I.

It shall be unlawful for any person, persons, firm, corporation or association of persons to engage in or carry on within the City of Bend a real estate business or the business of locating without first obtaining a license therefor from the City of Bend. Such person, firm, corporation or association of persons shall first apply to the City Recorder of the City of Bend for a license to carry on either or both of the said businesses, and in such application shall state the names, ages and residences of each of such person or persons and shall also state the office address of each of such person or persons.

Section II.

Such person, persons, firm or corporation/^{or association of persons}shall pay to the City Treasurer \$100. per year, semi-annually in advance.

Section III.

It shall be unlawful for any real estate dealer or locator to solicit or bargain the sale of real estate or homestead locations upon any street, in any hotel or other public place within the City of Bend.

Section IV.

For the purposes of this ordinance the term "real estate dealer" shall refer to and include any person who engages or attempts to engage in the business of selling real estate upon commissions,

The term "Locator" for the purposes of this ordinance, shall refer to and include any person who engages in the business of locating people upon government lands or relinquished homesteads or desert claims.

Section V.

Any person violating any of the provisions of this ordinance shall be punished by a fine of not less than \$25.

Read first time April 8, 1913.

Rules suspended April 8th, 1913.

Read second time April 8th, 1913.

APPROVED April 8, 1913.

Attest:

Mayor

Recorder

ORDINANCE NO. 75

AN ORDINANCE providing for the licensing and regulating the carrying on of the business of conducting billiard, bagatelle, or pool rooms within the corporate limits of the City of Bend.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1. Any person, firm or corporation conducting a billiard, bagatelle or pool room within the corporate limits of the City of Bend shall pay into the City Treasury for such privilege a license fee of \$100.00 per year, payable quarterly in advance. PROVIDED HOWEVER the provisions of this ordinance shall not apply to owners of pool or billiard tables kept only for use in private homes or private clubs.

Section 2. From and after the date that this Ordinance shall be in full force and effect there shall be licensed by the Common Council of the City of Bend not to exceed one billiard, bagatelle or pool room for each One Thousand inhabitants of the City of Bend or fraction thereof.

Section 3. Any person, firm or corporation who shall conduct any billiard, bagatelle, or pool room without first obtaining a license as herein provided shall be punished by a fine not exceeding fifty dollars.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Read first time April 8, 1913.

Rules suspended April 8th, 1913

Read second time April 8th, 1913.

APPROVED April 8th, 1913.

ATTEST:

Mayor

Recorder

AN ORDINANCE to amend Ordinance No. 69 entitled An Ordinance to Amend Ordinance No. 66, Entitled An Ordinance to Amend Ordinance No. 50, entitled An Ordinance Amending Ordinance No. 48 entitled An Ordinance to provide for licensing, regulating, and restraining retail liquor dealers, to prohibit the sale of liquor without a license, to provide penalties and punishment for the violation of any of the provisions of this Ordinance and to repeal all Ordinances and parts of Ordinances in conflict herewith:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1. That Section 1 of said Ordinance No. 69 be and the same is hereby amended to read as follows:

Section 1. No person or persons shall within the corporate limits of the City of Bend, directly or indirectly, in person or by another, sell, barter, give away, deliver, or in any manner dispose of any wine, spirituous or malt liquors or fermented ciders without first obtaining a license therefor in the manner hereinafter provided, and every person to whom such license shall be granted shall pay into the City Treasury the sum of Twelve Hundred Dollars per annum, payable in advance on the 1st day of January of each year. All licenses granted under the provisions of this ordinance shall expire December 31st of said year. Every licensee holding liquor license in the City of Bend shall pay into the City Treasury the sum of \$800. on the 1st day of May, 1913, and shall not be liable to the said City of Bend for any other or further sum for such license.

Section 2. That Section 2 of said Ordinance No. 69 be and the same is hereby amended to read as follows:

Section 2. Provided that hereafter the Common Council of the City of Bend shall not issue any liquor license to any person or persons not now engaged as a retail liquor dealer in the City of Bend so long as the number of licenses in force and effect in said City of Bend shall be five (5) or more, and provided further that no license now in force and effect shall be transferred to any other