ORDINANCE No. 201.

An Ordinance granting to E. D. Gilson, and to his successors and assigns, a franchise to construct, operate and maintain a Water Works system in the City of Bend, including the right to construct, install, operate and maintain a system or systems of pipes, hydrants, standpipes, reservoirs 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, in Deschutes County, Oregon, for the purpose of furnishing and supplying water to the public, the citizens, buildings and streets of said City of Bend, Deschutes County, Oregon.

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

Section 1.

That E. D. Gilson, and his successors and assigns, is hereby granted a franchise authorizing and empowering him, and his successors and assigns, to construct, erect, install, operate and maintain a system or systems of pipes, hydrants, standpipes, reservoirs and such other necessary or convenient structures, apparatus, appliances and appurtenances as he or they may desire, over, along, upon and under any and all the streets, avenues, alleys and public ways in the City of Bend, Deschutes County, Oregon.

Section 2.

All of said pipes, hydrants, standpipes, reservoirs, structures, apparatus, appliances and appurtenances which shall or may be constructed, erected, installed, operated and maintained shall be constructed, erected, installed, operated and maintained by the said E. D. Gilson, or his successors or assigns, so that the same shall not impede or unduly interfere with the ordinary use and occupation of said streets, avenues, alleys and public ways which he shall disturb or use in the construction, operation or maintenance of said water works system. And said E. D. Gilson, or his successors or assigns, shall repair or replace any part or parts of said streets, avenues, alleys and public ways which it may

disturb or use in the construction of said water works system hereunder, so that the same may be in as good condition as before such disturbance or use thereof. Provided, that in the event said E. D. Gilson, or his successors or assigns, shall fail, neglect or refuse to repair or replace that part or parts of said streets, avenues, alleys and public ways disturbed or used by him or them, in the construction, operation and maintenance of his water works system or systems, within a reasonable time therefor, then the City of Bend shall have the right to repair or replace the same and the costs and expenses thereof shall be paid to said City of Bend by the said E. D. Gilson, or his successors and assigns.

Section 3.

The City of Bend shall not be liable to said E. D. Gilson, or his successors or assigns, for any injury that may be done to said system or systems of water works by reason of any public improvement work which may be done in said City of Bend under and by authority of said city, provided the said city shall have given to said E. D. Gilson, or his successors or assigns, reasonable notice of such contemplated public improvement.

Section 4.

The said E. D. Gilson, or his successors or assigns, shall be liable for, and shall hold and save the City of Bend harmless and free of and from any and all damage and claim for damage, of any and every nature, which may may accrue to persons or property by virtue of the construction, operation or maintenance of the said water works system or systems, or any part thereof.

Section 5.

This Ordinance and franchise shall be in full force and effect from and after its passage, approval by

the Mayor, legal publication and the filing of the acceptance of the terms of this Ordinance and franchise by the said E. D. Gilson.

Introduced and read for the first time at a regular meeting of the Common Council [redacted] March 4, 1921.

Read for the second time and put upon final passage at a regular meeting of the Common Council on the 18th day of March, 1921 ~~1919~~.

Upon a motion for the passage of said Ordinance and franchise, duly made and seconded, the vote of the members of the Common Council was as follows:

Aye Baker, Fox, Gilbert, Inman, Severett, Norden,

Nay None.

Ross Farnham
City Recorder.

Approved this 19th day of March, 1921.

E. D. Gilson
Mayor.

ORDINANCE NO. 202

AN ORDINANCE AMENDING ORDINANCE NO.201 OF THE CITY OF BEND, ENTITLED AN ORDINANCE GRANTING TO E.D.GILSON, AND TO HIS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A WATER WORKS SYSTEM IN THE CITY OF BEND, INCLUDING THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN A SYSTEM, OR SYSTEMS, OF PIPES, HYDRANTS, STAND-PIPES, RESERVOIRS, AND OTHER NECESSARY AND 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, IN DESCHUTES COUNTY, OREGON, FOR THE PURPOSE OF FURNISHING AND SUPPLYING WATER TO THE PUBLIC, THE CITIZENS, BUILDINGS AND STREETS OF SAID CITY OF BEND, DESCHUTES COUNTY, OREGON

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

Section 1. Ordinance No.201 of the City of Bend, entitled an Ordinance granting to E.D.Gilson, and to his successors and assigns, a ffanchise to construct, operate and maintain, a water works system in the City of Bend, including the right to construct, install, operate and maintain a system or systems, of pipes, hydrants, stand- pipes, reservoirs and other necessary and 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, in Deschutes County, Oregon, for the purpose of furnishing and supplying water to the public, the citizens, buildings and streets of said City of Bend, Deschutes County, Oregon, be and the same is hereby amended by amending Section one(1) of said Ordinance No.201, so as to read as herein after set forth; and by adding to and incorporating in said Ordinance No.201, Section 4A, to read as herein after set forth, to-wit;

"Section 1. That E.D.Gilson, his successors and assigns, are hereby granted a franchise to construct, operate

and maintain a water works system in the City of Bend, including the right to construct, install, operate and maintain a system or systems of pipes, hydrants, standpipes, reservoirs, 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, Deschutes County, Oregon, for the purpose of furnishing and supplying water to the public, the citizens, buildings and streets of said City of Bend, Deschutes County, Oregon."

"Section 4A. The duration of the franchise hereby granted is twenty years from the date of the approval of said Ordinance No. 201 by the Mayor of said City.

The Source of Water supply for said water system shall be "Spring River" in the West Half of the Southeast Quarter, and the Southeast Quarter of the Southwest Quarter of Section one (1); and the Northeast Quarter of the Northwest Quarter of Section twelve (12), all in Township twenty (20) South, Range ten (1) East of the Willamette Meridian, in Deschutes County, Oregon.

Actual construction of said water system shall commence within two years after all legal obstructions thereto, if any there be, are removed; and after commencement of construction, the same shall be diligently carried forward to completion; provided; however, that the grantees of this franchise shall be in nowise chargeable with, or responsible for delays in construction due to causes beyond their control."

Section 2. This Ordinance and franchise shall be in full

force and effect, from and after its passage and approval by the Mayor, and written acceptance by the said E. D. Gilson, filed in the office of the Recorder of said City.

Read for the first time April 1, 1921.

Read for the second time April 15th, 1921.

Passed on April 15th, 1921, by the following vote:

AYES: Baker, Fox, Gilbert, Innes, Secrest, Worden.

NAYE: None

APPROVED April 16th, 1921.

E. D. Gilson

Mayor.

ATTEST:

Rosa Farnham

City Recorder.

ORDINANCE NO. 203.

AN ORDINANCE PROVIDING FOR THE IMPROVEMENT AND REPAIR OF STREETS, ALLEYS AND PUBLIC WAYS, AND FOR THE CONSTRUCTION, IMPROVEMENT AND REPAIR OF SIDEWALKS AND CROSS-WALKS, AND FOR PAYING THE COSTS THEREOF.

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

Section 1. There is hereby delegated to the Committee on Streets, Public Ways and Sewers of the Common Council, the power to improve and repair, streets, alleys and public ways, and to construct, improve and repair, side and cross-walks in said City, under the regulations hereafter set forth.

Repealed

Section 2. Whenever said Committee shall deem it expedient or necessary, to improve or repair any street, alley or public way, or to construct, improve or repair any side-walk or cross-walk, it shall require the city engineer forthwith to furnish an estimate of the probable cost of said improvement, and when deemed necessary by said Committee, plans and specifications thereof, and file the same with the City Recorder; the City Recorder shall thereupon invite bids for the construction of said proposed improvement, by giving five days notice thereof, by one publication in a newspaper, published in the City of Bend, prior to the letting of any contract for said construction.

Section 3. Said notice shall specify the time and place, when and where, said bids will be considered by the Common Council of said City, and that the Council reserves the right to reject any and all bids; bids on different improvements may be invited in one notice, and contracts for the construction of the same may be included in one agreement, the consideration for the doing of each to be separately stated. The Council may

impose such conditions for the construction of said improvement as it deems necessary to protect the interests of the City, and of all interested property owners.

Section 4. The contract price, and a sum not to exceed five per cent, thereof, as the cost of advertising, engineering and superintendents, shall be deemed to be the cost of the improvement. The city engineer taking the cost of said improvement as herein defined, shall apportion the same upon the lots, parts of lots, or parcels of lands liable therefor, which said apportionment of cost shall be a proposed assessment, and shall be filed by him with the City Recorder.

Section 5. The Recorder shall thereupon, cause to be published in a newspaper, published in said City, a notice, stating that said proposed assessment has been apportioned, and is on file in the office of the City Recorder, and subject to examination, and that any objection to such apportionment that may be made, must be made in writing to the Common Council, and filed with the City Recorder, within ten days from the publication of such notice, and that the same will be heard by the Common Council before the passage of any resolution assessing the cost of said improvement; provided, that the Recorder may include in the same notice, notice of hearing on more than one proposed assessment, at the same time and place.

Section 6. After the time specified in said notice has elapsed, the Council shall consider said proposed assessment, and the objections made thereto, if any, and shall have the power in its discretion, and without any further notice to consider, ascertain and decide, whether or not the amount of said proposed assessment against each lot, part of lot, or parcel of land,

has been assessed by the city engineer, upon the basis of benefits derived, and the assessment against each such lot, or part of lot, or parcel of land, shall be reduced or increased by the Council, so as to conform to the principle of benefits derived. After the Council shall have ascertained the just apportionment of said cost, in accordance with said principle, it shall declare said assessment by resolution, and direct the recorder to enter in the docket of City Liens, a statement thereof containing:

1. A description of each lot, part of lot, or acreage property, liable for such improvement.

2. The name of the owner, or reputed owner thereof, or that the name of the owner is unknown.

3. The sum assessed upon the said property, and the day of entering same in the said docket of City Liens, but such date need be made but once for all the entries made therein on the same day.

Section 7. The subsequent proceedings relating to said assessments, shall be as provided in Sections thirteen (13) to twenty-four (24), both inclusive, of Chapter 19 of the Charter of the City of Bend. Provided; that the provisions of Section twenty-seven (27) of Chapter 19 of the Charter of the City of Bend, or any of them, shall not apply to the payment of assessments levied under the provisions of this Ordinance.

Section 8. Upon the receipt of the amount of the assessment due from each lot, part of lot, or parcel of land, the City Treasurer shall place the same in a Special Fund, and pay out the same, only, upon the order of the Common Council.

Section 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

"LAND IS THE FOUNDATION OF ALL FORTUNE."

RALPH KELLER GILSON, President
ARTHUR BYRON GILSON, Vice President
DARVIN THOMPSON GILSON, Vice President
EDGAR LE ROY GILSON, Secretary
EDITH FLORENCE GILSON, Assistant Secretary
EDGAR DEWITT GILSON, General Manager
EDITH KELLER GILSON, Treasurer
WILSON THEODORE GILSON

Office Phone: Red 361
Residence Phone: Red 2122
Post Office Box 295

BEND

THE COMING CITY OF DESTINY
THE COMMERCIAL HEADQUARTERS FOR CENTRAL OREGON

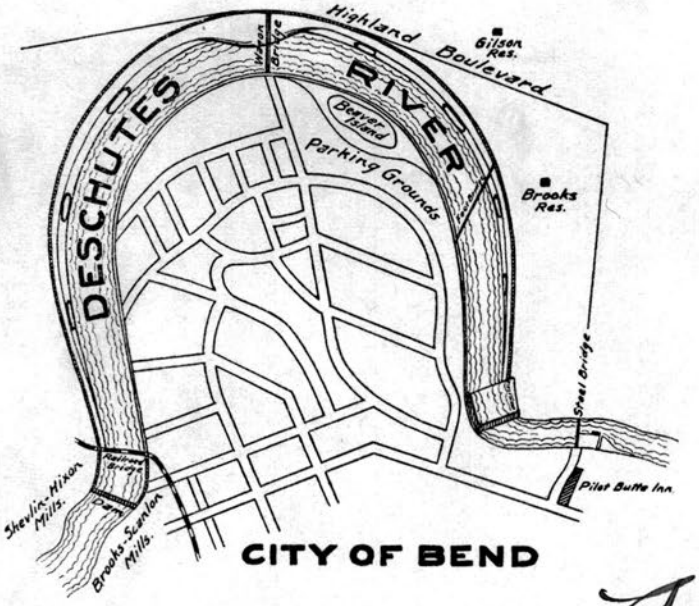
OFFICES OF

Gilson Land & Investment Company

Homesteads and Timber Claims
Farms and Stock Ranches
City Lots and Acreage
Property Exchanges
Irrigated Tracts

Agents For
Fire and Life Insurance
Mortgages, Securities, Bonds
Purchase, Sale and Care of Real Estate
Safe Investment of Funds
Farm Loans

Proprietors Spring River and Group of Connecting Springs and Adjacent Grounds
The Purest Water on Earth



Deschutes County, Oregon, April 19, 1921

To the
Common Council
of the
City of Bend, Oregon

I hereby accept the provisions, terms and conditions, set forth in Ordinances No. 201 and No. 202, granting a Water Franchise to me for the City of Bend, Oregon —

E. B. Gilson
Grantee

Filed April 19, 1921
Ross Farnham,
City Recorder

Read for the first time April 1, 1921.

Read for the Second time April 15, 1921.

Passed on April 15, 1921.

Vote - Yeas 6
Nays none.

Approved: April 16th, 1921.

E. Gleason
Mayor.

ATTEST:

Ross Farnham
City Recorder.

BERKSHIRE BOND
U.S.A.

ORDINANCE NO 204.

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $79,272.58, providing and approving the form of the bonds to be issued and the coupons attached thereto; approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend, has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos.38 to 45, both inclusive, in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $79,272.58, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in instalments and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property

owner agrees to pay said assessment in twenty semi-annual instalments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment, with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the majority of the owners of the property so assessed have selected a competent person to inspect such improvements under the direction of the City Engineer of said City; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by instalments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot or parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $79272.58, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date May 1, 1921, and to be numbered and in denominations as follows: Nos. 1 to 158 for $500 each, and No. 159 for $272.58, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall, by

the terms thereof, mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as City of Bend Improvement Bonds.

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form:

No_____. $_____.

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND.

KNOW ALL MEN BY THESE PRESENTS that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

_____DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the first day of May, 1931, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part

of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City, at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this first day of May, 1921.

_____
Mayor.

Countersigned:

_____
Recorder.

(COUPON)

No_____. $_____.

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the first day of_____, 19____

in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

_____DOLLARS

being six months' interest on Improvement Bond No_____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

_____
Mayor.

Countersigned:

_____
Recorder.

SECTION 3. The sale of the aforesaid bonds heretofore made to C. S. Reed of Bend, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper City officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance; now, therefore, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 6th day of May, 1921, by the following vote:

YEAS: 6

NAYS: None.

Submitted to the Mayor this 7th day of May, 1921.

Approved by the Mayor this 7th day of May, 1921.

E. J. Olson
Mayor.

Attest:

Ross Farnham
Recorder.

ORDINANCE NO 205

AN ORDINANCE FORBIDDING THE FALLING OF TREES STANDING IN ANY OF THE STREETS, ALLEYS, PUBLIC WAYS OR PUBLIC GROUNDS OF THE CITY OF BEND OR THE REMOVAL THEREFROM OF FALLEN TIMBER; OR STUMPS OR REEF ROCK BY BLASTING, WITHOUT FIRST OBTAINING THE CONSENT OF THE ~~CITY ENGINEER~~ Street Committee.

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

Section 1. No person shall fall any standing tree located within the lines of any street, alley, public way or public ground in the City of Bend; nor remove therefrom any fallen timber; or stump or reef rock by blasting, without the consent of the ~~City engineer~~ Committee on Streets first obtained.

Section 11. Any person violating the provisions of this ordinance shall, upon conviction thereof, be subject to a fine not exceeding fifty Dollars.

Section 111. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Read for the first time, May 6", 1921.

Read for the second time May 20", 1921.
Passed by the Common Council, May 20", 1921.
Approved by the Mayor May 23, 1921.

E. D. Olson
~~Mayor.~~

Attest; Ross Farnham
City Recorder.

To be repealed

ORDINANCE NO 206.

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $ 19714 62, providing and approving the form of the bonds to be issued and the coupons attached thereto, approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets in Local Improvement Districts Nos.10, 11, 12, 13, 14 and 16 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $ 19714 62, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in instalments and each and all of which applications did state that the said applicant and property owner does hereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property

owner agrees to pay said assessment in 20 semi-annual instalments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots, or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment, with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the majority of the owners of the property so assessed have selected a competent person to inspect such improvements under the direction of the City Engineer of said City; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement and each sewer have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvements of streets or laying of sewers by instalments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot or parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $ 19714 62, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date May 1, 1921, and to be numbered and in denominations as follows:

Nos.2 to 40 for $500 each, and No.1 for $ 214 62, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds

shall, by the terms thereof, mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as City of Bend Improvement Bonds.

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No.1 shall be in the sum of $ 214.62 and the coupons attached thereto shall be in the sum of $ 6.44 :

No_____. $500.00.

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND.

KNOW ALL MEN BY THESE PRESENTS that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the first day of May, 1931, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of the City of Bend aforesaid, and is not to be deemed or taken to be within

or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City, at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this first day of May, 1921.

_____
Mayor.

Countersigned:

_____
Recorder.

(COUPON)

No_____. $15.00.

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the first day of November, 19____
May

in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six months' interest on Improvement Bond No____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

E. E. Elson

Mayor.

Countersigned:

_____

Recorder.

SECTION 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper City officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, the welfare of the inhabitants of said City has been endangered owing to the lack of proper street improvements; now therefore, an emergency is hereby declared and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 15th day of ~~May~~ July, 1921, by the following vote:

YEAS: 6

NAYS: None.

Submitted to the Mayor this 15th day of ~~May~~ July, 1921.

Approved by the Mayor this 15th day of ~~May~~ July, 1921.

E. Olson

Mayor.

Attest:

Ross Farnham

Recorder.

ORDINANCE NUMBERED 207

AN ORDINANCE PROVIDING FOR THE LICENSING OF TRAVELLING THEATRICAL SHOWS, CARNIVALS AND STREET FAIRS:FIXING THE AMOUNT OF LICENSE FEES:REPEALING ALL PARTS OF SECTION 11 OFORDINANCE NUMBERED 17 OF THE CITY OF BEND IN CONFLICT HEREWITH:PROVIDING A PENALTY FOR THE VIOLATION OF THE ORDINANCE AND DECLARING AN EMERGENCY.

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

Section 1. Any person desiring to operate a travelling theatricl show, carnival or street fair within the City of Bend, shall, before operating the same apply to the Police, Fire and License Committee of the Common Council of said City; if in the judgment of said Committee of a majority thereof, it shall be to the public interest that such show, carnival or street fair exhibit within said City, they shall direct the City Recorder to issue a license therefor, for for such a period of time as the Committee shall deem proper but subject to revocation by the Mayor as provided by Ordinance numbered 159 of the City of Bend.

Section 2. Before issuing the license provided for in Section 1 hereof, the Recorder shall collect, for such show, carnival or street fair, a license fee of ten($10.00) Dollars per day for the first day and an increase of Five ($5.00) per day for each succeeding day after the first day, Provided that no such license fee shall ever exceed Fifty($50.00) Dollars per day.

Section 3. All provisions of Section 11 of Ordinance numbered 17 of the City of Bend in conflict herewith are hereby repealed.

Section 4. Any person violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not less than $25.00 nor more than $100.00 or to imprisonment for not less than 10 days nor more than 60 days or to both such fine and imprisonment.

Section 5. In as much as it is necessary to the public welfare that this Ordinance become effective as soon as possible, an emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage and approval by the Mayor.

...ead the 1st time August 5",1921.
...arter provision suspended and Ord-
...nce read the 2d time August 5",1921;
...ance passed August 5",1921.

...t; Rose Farnham
City Recorder.

Approved August 5", 1921.
C. A. Leson
Mayor.

207

ORDINANCE NO 208.

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $30,268 46/100, providing and approving the form of the bonds to be issued and the coupons attached thereto; approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend, has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 46 and 47 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $30,268 46/100, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in instalments and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property

owner agrees to pay said assessment in twenty semi-annual instalments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment, with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the majority of the owners of the property so assessed have selected a competent person to inspect such improvements under the direction of the City Engineer of said City; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by instalments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot or parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND AS FOLLOWS;

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $30,268.46, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date May 1, 1921, and to be numbered and in denominations as follows: Nos. 159 to 218 for $500 each, and No. 219 for $268.46, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall, by

the terms thereof, mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as City of Bend Improvement Bonds.

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form:

No_____. $_____.

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND.

KNOW ALL MEN BY THESE PRESENTS that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

_____DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the first day of May, 1931, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part

of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City, at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this _____ day of _____, 1921.

E. J. Gleson
Mayor.

Countersigned:

_____
Recorder.

(COUPON)

No._____ $_____.

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the first day of _____, 19__
_____

in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

_____DOLLARS

being six months' interest on Improvement Bond No._____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

_____
Mayor.

Countersigned:

_____
Recorder.

SECTION 3. The sale of the aforesaid bonds heretofore made to C. S. Reed of Bend, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper City officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance; now, therefore, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 9th day of August, 1921, by the following vote:

YEAS: 4

NAYS: None.

Submitted to the Mayor this 9th day of August, 1921.

Approved by the Mayor this 9th day of August, 1921.

E. Elson
Mayor.

ATTEST:

Ross Farnham
Recorder.

ORDINANCE NO. 209

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF SEWER LATERAL NUMBER 29, SPECIFYING THE PROPERTY SPECIALLY BENEFITTED AND TO BE ASSESSED FOR THE COST OF THE AFORESAID SEWER, PROVIDING FOR ADVERTISING FOR BIDS FOR THE CONSTRUCTION OF SAID SEWER AND DECLARING AN EMERGENCY.

WHEREAS, heretofore on the 18" day of November, 1921, the Council duly passed a Resolution of Intention for the construction of Sewer Lateral No.29, running from the Alley East of Bond street, easterly along the center line of Minnesota Avenue to the Easterly line of Lava Road; and

WHEREAS, thereafter at the time and in the manner provided by the Charter of said City, the Recorder did give notice of the passage of said Resolution by causing the same to be published in full in the Bend Bulletin, Daily Edition (a daily newspaper published in said City) in its issue of November 21st, 1921; and

WHEREAS, THE City Engineer within five days from the First publication of said Resolution caused to be conspicuously posted at each end of the contemplated improvement, a notice, headed, "Notice of SEwer Improvements", which said Notice did contain in legible characters a copy of said Resolution of the Council and the date of its adoption; and

WHEREAS, the City Engineer thereafter filed with the Recorder an affidavit of the posting of said Notice, stating therein the date and place that the same were posted, and

WHEREAS, more that 15 days have elapsed from the date of the posting by the Engineer and no remonstrance has been filed by any of the owners of property to be assessed for said improvement,

Now therefore, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND:

Section 1. That Sewer Lateral No.29 be constructed from the alley East of Bond street, easterly along the center line of Minnesota Avenue to the easterly line of Lava Road as provided by the plans and specifications heretofore adopted therefor.

Section 2. That the aforesaid improvement the Council does here-

by establish a Local Improvement District and said Local Improvement District shall embrace all the property specially benefitted as found by the Report of the Special Committee of the Council appointed for that purpose, filed with the City Recorder on the 6" day of June, 1921, said property being described as follows;

Lot 8 of Block 15 of Bend;
Lot 9 of Block 15 of Bend;
Lot 10 of Block 15 of Bend;
Lot 13 of Block 16 of Bend;
Lot 14 of Block 16 of Bend;
All that portion of Block "A", Bend, described as follows;
Beginning at a point on the south-easterly line of Lava Road in said Plat of Bend, which point bears S.28°00'E. a distance of 60 feet from the easterly extremity of Lot 10 of Block 15 Bend; thence S.28°00'E. for 170 feet; thence S.22°49'W. for 155 feet more or less to a point which bears S.67°11'E. from the south-east corner of Lot 13 of Block 16 of the plat of Bend; thence N.67°11'W. to a point on the east boundary of Lava Road, which point is on the extension of the northerly line of the alley through Block 16 of the said plat of Bend; thence northerly and north-easterly along the easterly and south-easterly boundary of Lava Road to the point of beginning.

Section 3. The Recorder is hereby authorized to advertise for bids for the construction of the aforesaid Sewer, giving ten days notice thereof by the publication of same in a news paper published in the City of Bend, stating therein the time and place when and where such bids will be opened and considered, which advertisement shall refer to the Ordinance providing for such improvement by number and by date of passage and the time within which same shall be required to be completed, that is to say on or before the 1st day of February 1922; and

WHEREAS, said work should be commenced at as early a date as possible in order that the same may be completed before another summer,

NOW THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect on and after its passage and approval.

Passed by the Common Council of the City of Bend, this 16" day of December, 1921.

Ayes, ;Nays, none.

Approved by the Mayor this 17" day of December, 1921.

Attest;

City Recorder.

Mayor

ORDINANCE NO 210.

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $ 5006,81 , providing and approving the form of the bonds to be issued and the coupons attached thereto; approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos.38, 39, 40, 41, 42, 43, 44 and 47 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $ 5006.81 , have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in instalments and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual

instalments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid did the amount of such assessment, with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the majority of the owners of the property so assessed have selected a competent person to inspect such improvements under the direction of the City Engineer of said City; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by instalments, as

provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot or parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $5006.81, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date November 1, 1921, and to be numbered and in denominations as follows: Nos. 220 to 229 for $500 each, and No 230 for $6.81, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall, by the terms thereof, mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall

have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as City of Bend Improvement Bonds.

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form:

No_____. $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND.

KNOW ALL MEN BY THESE PRESENTS that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the first day of November, 1931, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certi-

fied that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City, at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this first day of November, 1921.

_____
Mayor.

Countersigned:

_____
Recorder.

SUCCESS BOND

(COUPON)

No_____. $15.00.

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the first day of May November, 19____,

in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City

FIFTEEN DOLLARS

being six months' interest on Improvement Bond No_____unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

SUCCESS BOND

_____
Mayor.

Countersigned:

_____
Recorder.

SECTION 3. The sale of the aforesaid bonds heretofore made to C. S. Rud of Los Angeles, Cal., at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper City officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance; now, therefore, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 6th day of January, 1922, by the following vote:

YEAS: 6

NAYS: None

Submitted to the Mayor this 7th day of January, 1922.

Approved by the Mayor this 7th day of January, 1922.

E. V. Olson
Mayor.

Attest:

Ross Farnham
Recorder.

ORDINANCE NO. 211.

#161

AN ORDINANCE TO AMEND SECTION 14 of AN ORDINANCE ENTITLED:AN ORDINANCE TO PROTECT THE HEALTH OF THE CITIZENS OF BEND,TO PREVENT THE SPREADING OF COMMUNICABLE DISEASES,TO PROVIDE FOR THE APPOINTMENT OF A CITY PHYSICIAN,PRESCRIBING HIS DUTIES,PROVIDING FOR THE REPORT TO THE CITY PHYSICIAN OF BIRTHS,DEATHS AND CASES OF COMMUNICABLE DISEASES WITHIN SAID CITY:REPEALING ORDINANCES NUMBERED 46 AND 115,PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDIANCE, BEING ORDINANCE NUMBERED 161 oF THE CITY OF BEND.

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

Section 1.That Section 14 of Ordinance number 161 of the City of Bend, entitled;

an ordinance to protect the health of the citizens of Bend,to prevent the spreading of communicable diseases,to provide for the appointment of a City Physician,prescribing his duties,providing for the repor t to the City Physician of births,deaths and cases of communicable disease within said City;repealing ordinances numbered 46 and 115,providing a penalty for the violation of this ordinance,

be amended so as to read as follows;

"Section 14. Minimum Heat. Every person,firm or corporation in the City of Bend,leasing or renting to another,space in any building under an agreement,express or implied,which includes the furnishing of heat by such person,firm or corporation,shall,during the months of October,November,December,January,February,March,April and May of each year,furnish in such space so leased or rented,heat sufficient to maintain a temperature of not less than sixty-eight (68°) degrees Fahrenheit between the hours of 7:00 o'clock A.M. and 10:30 O'clock p.m. of each day except in space that is regularly and customarily occupied only during the day by the lessees or tenants thereof,said minimum heat shall be furnished between the hours of 8:00 a.m. and 5:30 p.m. of each day except Sundays and in space occupied at irregular intervals,said minimum heat shall be furnished during the period of occupancy,The provisions of this Section shall also apply to every person,firm or corporation having the control of the heating of space in any building used as a place of public assembly for hire or otherwise.It shall be the duty of the City Physician to enforce the provisions of this Section."

Read for the 1st time,December 30",1921;
Read for the 2d time,January 20",1922.
Passed,January 20",1922;
Attest; Rose Farnham
Recorder.

Approved January 21st",1922;
E. Gleason
Mayor.

ORDINANCE NO. 212

AN ORDINANCE REGULATING THE OPERATION AND MAINTENANCE OF CARD TABLES, PROVIDING FOR THE LICENSING THEREOF, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

Section 1. No public card table shall be operated or maintained in any basement, cellar or balcony in the City of Bend but shall be operated only on the first or ground floor of the building in which the same is located and in such position as at all times to be plainly visible from the sidewalk in front of such building; and all partitions, screens, curtains or other obstructions which have the effect of cutting off or obscuring the view, at all times of said card tables are hereby forbidden.

Section 2. Every person, firm or corporation operating a card table in the City of Bend shall pay an annual license of $12.00 for each table operated, payable quarterly in advance; every license for operating card tables shall issue as of the last quarter immediately preceding the date of application for same.

Section 3. Every person, who as proprietor, agent of the proprietor, manager or otherwise, shall violate the provisions of this ordinance, shall upon conviction thereof be punished by a fine of not less than $5.00 nor more than $50.00; or by imprisonment for not less than 10 days or more than 30 days or by bothe such fine and imprisonment; and the card table license of the place where such violation occurs shall upon such conviction, immediately, automatically terminate with out the right to re-payment of the license fees paid.

Section 4. In as much as, in the judgment of the Common Council of said City, it is necessary for the public welfare that this ordinance become effective as soon as possible, an emergency is hereby declared to exist and this ordinance shall become effective from and after its passage by the Common Council and approval by the Mayor.

Attest; Rose Farnham
City Recorder.

Approved March 3d, 1922,

Mayor.

212

ORDINANCE NO. 213

AN ORDINANCE TO REGULATE THE REGISTRY OF DOGS AND TO PROVIDE FOR THE TAKING UP, IMPOUNDING AND KILLING OF DOGS WITHOUT LICENSE TAGS, REPEALING ORDINANCES NUMBERED 29 and 174 of the CITY OF BEND, AND DECLARING AN EMERGENCY.

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 Recorder as hereinafter provided; and it is hereby declared unlawful for any person to imitate or counterfeit such tag or plate on any dog or slut within the limits of Bend.

Section 2. The City Recorder 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 Recorder 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 $3.00 and from the owner of any female dog the sum of $5.00 for each such tag issued prior to July 1st, and one-half of that sum for tags issued after July 1st. The annual time for issuing such tags as are herein provided for shall be the first day of January of each year, and all licenses shall expire on December 31st of each year.

Section 3. It shall be the duty of the Chief of Police of the person whom the City Council of Bend may appoint as deputy poundmaster, to cause to be taken and impounded 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 twenty-four hours after such dog shall have been impounded, it shall be the duty of the Chief of Police or said poundmaster to sell or cause 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 Chief of Police 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 twenty-four hours specified, the Chief of Police 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 $1.00 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; provided further, that in any case where a dog has been impounded, for which the 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.

Section 4. Any person owning or having charge, care or control of any fierce, dangerous or mischievous dog, shall when ordered so to do by the Chief of Police, securely muzzle such dog before permitting it to run at large within the city limits of Bend, and in case of failure to forthwith obey the orders of such officer, it shall be his duty to kill such dog without further notice to

the owner.

Section 5. 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 inconformity with this ordinance; or to release any dog when impounded, without authority of the said Chief of Police or Poundmaster.

Section 6. 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.

Section 7. It shall be the duty of the Chief of Police to prosecute all persons violating any of the provisions of this ordinance.

Section 8. Any person or persons 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 $50.00 or by imprisonment for any term not exceeding 20 days, or both fine and imprisonment.

Section 9. Ordinances numbered 29 and 174 of the City of Bend are hereby repealed.

Section 10. Inasmuch as it is necessary for the protection of the welfare of the citizens of the City of Bend that this ordinance become effective as soon as possible, an emergency is hereby declared to exist and this ordinance shall go into effect immediately upon its passage by the Common Council and approval by the Mayor.

Read first time May 5-1922.
Rules Suspended " 5-1922
Read Second time " 5-1922.
Passed " 5-1922
Vote Yeas 5 - Nays - None.

ATTEST:

_____
City Recorder.

Approved this 6th day of ~~April~~ May, 1922.

_____
Mayor.

ORDINANCE NO. 214.

AN ORDINANCE PROVIDING FOR THE EXTERMINATION OF NOXIOUS WEEDS WITHIN 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 I. No person, firm or corporation owning, possessing or having charge of any lot or parcel of land within the City of Bend shall permit any Russian thistle, Canada thistle, Chinese thistle, White mustard, Jim Hill mustard or other noxious weed to grow upon said lot or parcel of land or upon the half of any public thorough fare adjacent thereto.

Section 2. Any person violating the providions of this ordinance, shall, upon conviction thereof, be fined not less than $5.00 nor more tham $25.00 or by imprisonment for not more than 10 days of by both such fine and imprisonment.

ATTEST: Rose Farnham,
City Recorder.

Approved this 30 day of June, 1922.

E. S. Gibson
Mayor.

ORDINANCE NO. 215

AN ORDINANCE FORBIDDING THE INSTALLATION OF GASOLENE AND OIL PUMPS ON PUBLIC GROUNDS AND PUBLIC THOROUGH FARES WITHIN THE CITY OF BEND, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

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

Section I. It shall be unlawful hereafter to install any oil or gasolene pump in or upon any part of any public ground or public thorough fare within the City of Bend.

Section 2. Any person violating the provisions of Section I of this Ordinance, shall upon conviction thereof be subject to a fine of not less than five Dollars or more than fifty Dollars or Or imprisonment for not more than thirty days or to both such fine and imprisonment.

Section 3. In as much as it is essential to the public welfare that this ordinance become effective at once, an emergency is hereby declared to exist and this ordinance shall be in full force and effect upon its passage and approval by the Mayor.

ATTEST: Rose Farnham
CITY RECORDER.

Approved this 14th day of August, 1922.
E. E. Gibson
Mayor.

Read first Time Aug. 4-'22
" second " " 18-'22.
Passed Aug. 18-'22,
Yeas: 5- Nays 0

ORDINANCE NO. 216

AN ORDINANCE TO AMEND SECTION THREE OF ORDINANCE NUMBERED SEVENTY OF THE CITY OF BEND AND DECLARING AN EMERGENCY.

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

Section I. That Section three of Ordinance Numbered Seventy of the City of Bend, entitled;

An Ordinance providing for licensing and regulating sales by popcorn and peanut vendors on public alleys and streets within the corporate limits of the City of Bend and declaring an emergency,

be amended so as to read as follows;

Section 3. Any person, firm or corporation desiring to sell or offering to sell any popcorn, peanuts, ~~candy or other article~~ within the City of Bend, from any vehicle propelled or drawn by a horse or horses, electric, gas, oil, steam or any other motivepower, shall pay to the City Recorder a license fee of $15.00 for the first quarter and $10.00 per quarter there after in advance and the City Recorder shall issue a license to such person, firm or corporation; provided that application for such license shall be made in writing and provided that the provisions of this ordinance shall not apply to merchants selling pop corn, ~~candy and other articles~~ from stores, or other buildings; and provided that the provisions of this Section shall be in full force and effect from and after April 1st, 1922.

Section 2. In as much as it is necessary for the public welfare that this Ordinance become effective as soon as possible, an emergency is hereby declared and said ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Approved this 21st day of July, 1922;

ATTEST: Rosa Farnham
City Recorder

Mayor.

Read first time Aug. 4-'22
" second " " 18-'22
Passed Aug. 18, 1922.
Year: 3 - Page 2

ORDINANCE NO. 217.

AN ORDINANCE TO AMEND SECTION II of ORDINANCE NUMBER 181 of THE CITY OF BEND, ENTITLED AN ORDINANCE PROVIDING FOR THE NOMINATION AND ELECTION OF A MAYOR, TREASURER AND CONCILMEN FOR THE CITY OF BEND: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

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

Section I. Section II of Ordinance number 181 of the City of Bend, entitled: "An ordinance providing for the nomination and election of a mayor, City Treasurer and Councilmen for the City of Bend; repealing all ordinances or parts of ordinances in conflict herewith and declaring an emergency"; be amended so as to read as follows;

"Section II. Any person desiring to become a candidate for any of the offices mentioned in Section I hereof, shall, not later than 5 O' clock P.M. of October 10", immediately prior to any biennial election for City officers, file in the office of the Recorder of said City, a petition containing the names of a number of legally qualified electors of said City, equal to at least 10% of the number of votes cast for mayor at the last preceeding City election, which said petition shall be addressed to the City Recorder, requesting that the name of the person therein mentioned shall be placed on the official City ballot as a candidate for the office named, at the ensuing election." Repealed

Section II. In as much as it is necessary for the public welfare that this ordinance become effective as soon as possible, an emergency is hereby declared to exist and this ordinance shall be effective upon its passage by the Common Council and approval by the Mayor.

ATTEST: Ross Farnham
City Recorder.

Approved; October 6", 1922;
W. G. Gleson
Mayor.

ORDINANCE NUMBER 218

AN ORDINANCE PROVIDING FOR THE INSTALLATION AND MAINTENENCE OF CLUSTER LIGHTS UPON CERTAIN OF THE STREETS OF THE CITY OF BEND, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

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

Section I. Cluster lights shall be placed on Wall and Bond streets between Franklin and Greenwood Avenues and upon Greenwood, Oregon, Minnesota and Franklin Avenues, from the alley west of Wall street to the alley east of Bond street, in the manner herein after provided and not otherwise.

Section 2. All cluster lights which shall be hereafter placed upon the streets above described shall be of uniform design as follows; shall consist of five lights with four lights on the sides and one on the top, with fluted column, and having a total height over all of thirteen feet two inches, more specifically described as follows, to-wit:

To be repealed

Size of base, - - - -	17¼"x 19¾"
Diameter of fluted column at base, - - -	9½"
Diameter top of fluted column, - - -	6"
Spread of arms, - - - - -	36½"
Size of globes and fitters:	
Side Globes and fitters, - - -	12"x 6"
Central Globe and fitter, - - -	16"x 8"
Size of door, - - - - -	4"X 8"
Height, - - - - -	13'2"
Weight, - - - - -	325 lbs.

all of which more fully appears on the Plans and Blue Prints of "Official Cluster Lights" approved by the Common Council, December 2, 1913, andwhich said plans and blue print are now on file and of record in the office of the City Recorder hereby referred to and made a part hereof.

Section 3. All cluster lights shall be placed on the sidewalk on grade, at a uniform distance of fifteen inches to the center of said poles from the outside edge of the curb of the street, so that the street face of the base will be at the indide edge of the curb. All lights shall be placed opposite the property line of the several lots on Wall street and Bond street, approximately fifty feet apart, and at the above distances from the curb, and on the other streets as specifically shown on the plans and blue print above referred to.

Section 4.All cluster lights,together with fixtures shall be installed and maintained by the owners of the abutting property and shall be located as shown by said plans and blue prints and not otherwise;PROVIDED:that in case any property owner shall fail for a period of ten days,after being notified in writing by the City Recorder to put in repair,including replacement of defective lamps and globes,any group of cluster lights appurtenant to his property,the City shall thereupon cause the electric current to be cut off from such group of cluster lights,until the same is placed in repair.

Section 5. The City agrees to furnish the electric current, at its own expense,for said cluster lights installed as aforesaid and kept in repair,at a maximum cost of two dollars and eight cents,per month,per cluster. Provided,however,that the City of Bend reserves the right to alter or modify the cluster,candle power or to reduce the maximum monthly payment for each cluster;and provided further that nothing herein contained shall be construed to prevent the Common Council of the City of Bend,should it deem it advisable,to create a special light assessment district and to provide for levying assessments against abutting property for the installation and maintenance of cluster lights within said City of Bend or upon the aforesaid streets.

Section 6.All ordinances or parts of ordinances in conflict here with are hereby repealed.

Section 7. In as much as many of the cluster lights upon the main thorough-fares of said City are out of repair so that said streets are not properly lighted,an emergency is hereby declared to exist and this ordinance shall be in full force and effect upon its passage and approval by the Mayor.

ATTEST: Rose Farnham
City Recorder.

Approved this 15" day of December,1922

D. Gleson
Mayor.

ORDINANCE NUMBER 19

AN ORDINANCE EXEMPTING PERSONS, FIRMS AND CORPORATIONS CONSTRUCTING BUILDINGS TO BE USED, PRINCIPALLY FOR HOLDING RELIGIOUS SERVICES FROM THE PAYMENT OF FEES FOR A BUILDING PERMIT FOR SUCH CONSTRUCTION.

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

Section I. From and after the passage and approval of this Ordinance, no person, firm or corporation proposing to construct a building within the City of Bend to be used principally for holding religious services, shall be required to pay any fee for the issuance of a permit for such construction.

Section II. Nothing herein contained shall be construed to exempt any person, firm or corporation from obtaining a building permit in all cases nor from complying with allbuilding Regulations now or here after in force within the City of Bend.

Section III. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ATTEST: Rose Farnham
City Recorder

Approved this 2nd day of January, December, 1923.

C. D. Gleson
Mayor.

ORDINANCE NUMBER 220

AN ORDINANCE PROVIDING FOR THE INSTALLATION AND MAINTENANCE OF CLUSTER LIGHTS UPON CERTAIN OF THE STREETS OF THE CITY OF BEND, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DECLARING AND EMERGENCY.

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

Section I. Cluster lights shall be placed on Wall and Bond Streets between Franklin and Greenwood Avenues and upon Greenwood, Oregon Minnesota and Franklin Avenues, from the alley west of Wall street to the alley east of Bond street, in the manner herein after provided and not otherwise.

Section II. All cluster lights which shall be hereafter placed upon the streets above described shall be of uniform design as follows; shall consist of five lights with four lights on the sides and one on the top, with fluted column and having a total height over all of thirteen feet two inches, more specifically described as follows, to-wit;

Size of base, - - - -	17¼" x 19¾"
Diameter of fluted column at base, - -	9½"
Diameter top of fluted column, - - -	6"
Spread of arms, - - - -	36½"
Size of globes & fitters;	
Side globes & fitters, - - -	12" x 6"
Central globe & fitters, - - -	16" x 8"
Size of door, - - - - -	4" x 8"
Height, - - - -	13'2"
Weight, - - - -	325 lbs.

all of which more fully appears on the plans and Blue prints of Official Cluster Lights approved by the Common Council December 2d, 1913, and which said plans and blue prints are now on file and of record in the office of the City Recorder hereby referred to and made a part hereof.

Section III. All cluster lights shall be placed on the sidewalk on grade, at a uniform distance of fifteen inches to the center of said posts from the outside edge of the curb of the street, so that the street face of the base will be at the inside edge of the curb, All lights shall be placed opposite the property line of the several lots on Wall and Bond streets, approximately fifty feet apart, and at the above distances from the curb, and on the other streets

as specifically shown on the plans and blue prints above referred to.

Section IV. All cluster lights, together with fixtures shall be installed by the owners of the abutting property and shall be located as shown by said plans and blue prints and not otherwise; PROVIDED that when such abutting property owner shall have put the cluster lights in front of his property in a condition of complete repair, the City shall thereafter, in all things maintain the same at its own cost.

Section V. The City agrees to furnish the electric current for said cluster lights, installed as aforesaid, at its own expense, at a maximum cost of two dollars and eight cents per month, per cluster, provided, however, that the City of Bend reserves the right to alter or modify the cluster, candle power or to reduce the maximum monthly payment for each cluster; and provided further that nothing herein contained shall be construed to prevent the Common Council of said City creating a special light assessment district and providing for levying assessments against abutting property for the installment and maintenance of cluster lights within said City or upon the aforesaid streets.

Section VI. All ordinances or parts of ordinances of the City of Bend, in conflict herewith are hereby repealed.

Section VII. In as much as many of the cluster lights upon the main thorough fares of said City are out of repair so that said streets are not now properly lighted, 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.

ATTEST: Louis Bennett
Recorder.

Approved this 21 day of February, 1923

R. H. Fox.
Mayor.

First Reading Feb. 21st 1923
Second Reading Feb. 21st 1923
Passed - Feb. 21st, 1923
Approved by Mayor Feb. 21st 1923.

ORDINANCE NUMBER 221

AN ORDINANCE PROVIDING FOR THE REPAIR OF SIDEWALKS BY THE OWNER OF THE ABUTTING REAL ESTATE; PROVIDING A PENALTY FOR THE VIOLATION THEREOF an DECLARING AN EMERGENCY.

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

Section I. That all sidewalks in the city of Bend shall be kept in repair by the owner of the abutting real estate.

Section 2. Whenever any sidewalk in the City of Bend shall become out of repair so as to be unsafe for travel at all times, the sidewalk Inspector or any peace officer of said City shall notify, in writing, the record owner of the real estate abutting upon said sidewalk, of that fact, which said notice shall specify the particular in which said sidewalk is out of repair and direct that said defect be remedied within five days from the date of the service of said notice; provided that if the record owner of said real estate can not be found in the City of Bend, then said Notice shall be served on the person in possession of said real estate or if said premises are not in the actual possession of any person, said notice may be served on the resident agent of the non-resident owner thereof. In case the owner can not be found within the City of Bend and has no resident agent in said City and said real estate is not in the possession of any person, then said notice shall be served by mailing a true copy thereof to the record owner at his last known address.

Section 3. Service of said notice shall consist of handing to and leaving with the person served a true copy thereof, except in case of service by mail as above provided; when service is made by mail, such service shall be deemed made on the first day after the deposit in the Post office that the mail leaves the place of deposit for the place of the addressee and not otherwise.

Section 4. The term "agent" as used in Section (2) hereof is hereby defined to include any person who with respect to said premises represents the non-resident owner thereof as to the rental, collection of rents and general control thereof.

Section 5. Any person failing to put in repair said sidewalk in the particulars mentioned in said notice, within five days of the ser-

vice thereof as herein provided, shall bee deemed guilty of a violation of this ordinance and upon conviction thereof, shall be punished by a fine of not less than five Dollars or more than twenty-five Dollars or by imprisonment for a term not exceeding ten days or by both such fine and imprisonment; provided, that in case said sidewalk can not be fully repaired within said five days, the mayor of said City may allow an additional period of five days to complete such repair, for good and sufficient reason but said extension of time must be in writing, signed by the mayor.

Section 6. In as much as this ordinance should become efffective at as early a date as possible, as a measure of protection to the citizens of Bend and to 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 approval by the Mayor.

ATTEST: Louis Bennett
City Recorder.

Approved this 11th day of May, 1923

R. H. Fox.
Mayor.

ORDINANCE NO. 222.

AN ORDINANCE FORBIDDING THE MANUFACTURE, POSSESSION, SALE OR DISPOSAL OF INTOXICATING LIQUORS WITHIN THE CITY OF BEND, EXCEPT IN CERTAIN CASES, DECLARING CERTAIN PLACES AND THINGS TO BE NUISANCES AND PROVIDING FOR THEIR ABATEMENT, DEFINING TERMS USED HEREIN, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, (REPEALING ORDINANCE NUMBERED 110½ OF THE CITY OF BEND AND ALL ORDINANCES IN CONFLICT HEREWITH, SAVING EXISTING VIOLATIONS THEREOF AND DECLARING AN EMERGENCY.)

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

Section 1. The words "intoxicating liquor" as used in this ordinance shall be construed to embrace all spiritous, malt, vinous, fermented or other intoxicating liquors; and all mixtures or preparations reasonably likely or intended to be used as a beverage, which shall contain in excess of one-half of one per centum of alcohol by volume, shall be deemed to be embraced within such term, independently of any other test of their intoxicating character; and all mixtures, compounds, or preparations, whether liquid or not, which are intended, when mixed with water or otherwise, to produce, by fermentation or otherwise, an intoxicating liquor, shall also be deemed to be embraced within such term.

Section 2. It shall be unlawful for any person to receive, import, possess, transport, deliver, manufacture, sell, give away or barter any intoxicating liquor within the City of Bend; Provided, however, it shall be lawful for any person:

(1) To have in his possession intoxicating liquor lawfully procured, and in his possession within the said city at the time of the taking effect of this ordinance:

(2) To make or sell vinegar, alcohol manufactured for denaturation only, and actually denatured under the laws and regulations of the United States Government; or non-intoxicating cider or fruit juices, or to make or have in

possession wine for sacramental purposes only:

(3) Who is actually engaged in the wholesale drug business to sell ethyl alcohol at wholesale only to persons to whom permits shall have been issued by the District Attorney as provided by law:

(4) Who is a registered pharmacist conducting or employed in retail drug stores to sell ethyl alcohol for medical, mechanical and scientific purposes to persons to whom permits have been issued by the District Attorney of the State of Oregon:

(5) Who is a registered pharmacist to sell ethyl alcohol for medicinal purposes only upon the signed prescription of a licensed physician in good standing, actually engaged in the practice of his profession in the State of Oregon, not of intemperate or immoral habits and not addicted to the use of narcotic drugs.

Section 3. It shall be unlawful for any person to solicit, take or receive within this city any order for intoxicating liquor or make any contract for the sale of any intoxicating liquor, except in cases where the sale of such liquor is permitted.

Section 4. It shall be unlawful for any person, directly or indirectly, to keep or maintain, by himself or by associating or combining with others, or in any manner to aid, assist or abet in keeping or maintaining any locker-room, club room or other similar place in which intoxicating liquor is received or kept for the purpose of use, gift, barter or sale as a beverage, or for distribution or division among the members of any club or association by any means whatsoever, and it shall be unlawful for any person to use, barter, sell or give away, or assist or abet another in bartering, selling

or giving away any intoxicating liquors so received or kept.

Section 5. It shall be unlawful for any person to carry intoxicating liquor to any dance or dance hall or other public gatherings or to have intoxicating liquor in his possession at such dance or dance hall or other public gathering.

Section 6. All premises, buildings, vehicles, boats, and all other places where intoxicating liquors are manufactured, sold, bartered, or given away, in violation of this ordinance, or where persons are permitted to resort for the drinking of intoxicating liquor as a beverage, or where intoxicating liquors are kept for sale, barter or delivery, in violation hereof, and all intoxicating liquors, bottles, glasses, kegs, pumps, bars and other property kept in and used in maintaining such permises, buildings, vehicles, boats or other places, are hereby declared to be public nuisances, and it shall be unlawful for any person to maintain or assist in maintaining a public nuisance as herein defined.

Section 7. Any person who knowingly permits any building or tenement owned or leased by him or under his control, or any part thereof, to be used in maintaining a public nuisance as defined in this ordinance, or who, after being notified in writing by the City Attorney or any citizen of such use, omits to take proper measures, either to abate said public nuisance or failing therein, to eject therefrom the person or persons so using the same, shall be deemed guilty of assisting in the maintaining of such public nuisance.

Section 8. Upon the filing of a complaint charging that a place is kept or maintained as a public nuisance by any person or persons, and that intoxicating liquors, bottles, glasses,

kegs, pumps, bars or other property are kept or used therein in keeping and maintaining such place as a public nuisance, a warrant shall be issued commanding the officer to whom it is directed to arrest the person or persons charged or described as the keeper or keepers, and to search the place described in such complaint and to seize and take into his custody all intoxicating liquors, glasses, bottles, kegs, pumps, bars or other property described in said complaint which he may find at such place, and safely keep the same subject to the orders of the Court. The complaint shall be supported by oath or affirmation and shall describe the place to be searched with sufficient particularity to identify the same, and shall describe the intoxicating liquors or other property alleged to be used in maintaining the same, as particularly as practicable, but any description however general, that will enable the officer executing the warrant to identify the property to be seized, shall be deemed sufficient. Upon the return of the warrant, the court shall proceed as in other cases against the person or persons arrested.

Section 9. Whenever any intoxicating liquor or other property shall be seized under such a warrant, whether an arrest has been made or not, a notice shall issue within forty-eight hours after the return of the warrant in the same manner as a summons, directed to the defendant or defendants in such action, and to all persons claiming any interest in the intoxicating liquors, or other property, and fixing a time not less than five days from the service thereof and a place at which any and all persons claiming any interest therein may appear and answer the complaint made against such intoxicating liquors or other property, and show cause, if any they have, why the same shall not be adjudged a nuisance and ordered destroyed. Such notice shall be served upon the defendant or de-

fendants in such action in the same manner as summons, if they be found within the jurisdiction of the court, or otherwise by publication according to the laws governing publication of summons in civil suits, and a copy thereof shall also be posted in a conspicuous place upon the premises where such property was seized. If, at the time for filing answer, such notice has not been duly served, or other sufficient cause appear therefor, the time for answering may be by the court extended and such other notice issued as will supply any defect in the previous notice and give reasonable time and opportunity for all persons interested to appear and answer. At or before the time fixed by notice, any person claiming an interest in the intoxicating liquors, or other property seized, may file his answer in writing, setting up his claim thereto, and shall thereupon be deemed a party defendant to the proceedings against such liquor or other property.

The complaint and answer or answers that may be filed shall be the only pleadings required; and at the time fixed for answer, or any other time then to be fixed by the court, a trial shall be had in a summary manner, of the allegations of the complaint or information against the liquors or other property seized; and whether any answer shall be filed or not, it shall be the duty of the City Attorney to appear and adduce evidence in support of such allegations.

Section 10. If the court shall find that said intoxicating liquors or other property or any part thereof were at the time the complaint was filed, being used in maintaing a public nuisance, he shall adjudge forfeited so much thereof as he shall find was being so used, and shall order the officer in whose custody it is, publicly to destroy the same, and such

officer shall make a return thereof to the court in which such action is pending, showing that he has complied with the said order, so made and entered. So much of the intoxicating liquor or other property as the court shall not find to have been used in maintaining a public nuisance he shall order returned by the officer, in whose custody it is, to the place or as near as possible to the place from which it was taken, or delivered to the person establishing his claim to the same. If the court shall find that any of such liquors or other property was, at the time the complaint was filed, being used in maintaining a public nuisance, and shall also find that it was being used by any person served with such notice herein provided for or by any person filing an answer, as in said section provided, so that it was then owned or claimed by any such person and by him knowingly allowed to be so used, the court shall render judgment against such person for the costs of the proceedings against the intoxicating liquors or other property so used or owned by him. If the court shall not find that any of the said intoxicating liquors or other property seized was, at the time complaint was filed, being used in maintaining a public nuisance, or shall not find that any of it was being so used or so owned and allowed to be used, by any person served with the notice afiresaid, or voluntarily becoming a party as aforesaid, the costs of the proceedings against such property shall be paid as in criminal cases. Either the city or any defendant or other person claiming the property seized, may appeal from the judgment of the Court in any such special proceeding against property seized, in the manner provided for the taking of appeals from the Recorder's Court.

Section 11. Intoxicating liquors or other property which shall have been seized as hereinbefore provided, shall

not be taken from the custody of the officer in whose possession they are by any writ of replevin or other process while the proceedings herein provided for are pending, and final judgment of conviction in such proceedings shall in all cases be a bar to all suits for the recovery of any intoxicating liquors or other property seized or of the value of the same, or for damages alleged to arise by reason of the seizing and detention thereof.

Section 12. If the City Attorney shall be notified of or have knowledge of or reason to suspect any violation of any of the provisions of this ordinance, he may issue his subpoena for such person or persons as he has reason to believe may have information or knowledge of any violation of said laws to appear before him, at a designated time and place, to be examined in relation thereto, or said City Attorney may file with the City Recorder his signed statement alleging a violation hereof and may issue his subpoena for such person or persons as he may have reason to believe may have such information or knowledge of any such violation, commanding such witnesses to be and appear before such magistrate at a time to be designated in said subpoena then and there to testify concerning any violation of the provisions of said law. Such subpoena may be served upon such witnesses by any police officer of said city, and shall be served and returned in the same manner that subpoenas are served and returned in other cases in said court.

Each witness shall be sworn true answers to make to all questions propounded to him touching the matters under investigation and the testimony of such witness shall be reduced to writing and signed by the witness.

For the purpose of this ordinance, the City Attorney or any of his deputies are authorized and empowered to administer oaths or affirmations to any such witness appearing before

him, and it shall be unlawful for any person so subpoened to refuse to be sworn or to sign the testimony given by him, or refuse to answer any question touching the matter under investigation, propounded to him in such inquiry.

The City Recorder when acting under the provisions of this ordinance shall have power to adjourn such proceedings from time to time, to punish such witness or witnesses for contempt for any failure to appear, or refusal to be sworn, or to answer any question put to him as a witness, or to sign his testimony, and the attendance of such witness may be compelled by such magistrate by attachment.

If the testimony so taken discloses that there is reasonable ground to believe that an offense has been committed, the City Attorney shall at once prosecute the person or persons suspected of committing the offense by filing said testimony together with his complaint against such person or persons suspected of committing such offense, and such testimony, together with the complaint of the City Attorney, when sworn to by him upon information and belief shall have the same effect as if such complaint had been verified positively and thereupon a warrant shall issue for the arrest of such person or persons, as in other cases in the Recorder's Court.

Section 13. If the sworn statement of any witness as in the last preceeding section provided, shall disclose the fact that intoxicating liquors are being kept for unlawful sale or purpose, or are being sold by an unknown person or persons, particularly describing such unknown person or persons contrary to the provisions thereof, at any place, particularly describingthe place to be searched and the property to be seized, as hereinafter provided, it shall be the duty of the City Attorney to file his complaint charging such offense as shall appear to have been committed together with such

statement, with the City Recorder, against such place and the unknown keepers thereof, which complaint, when verified by the City Attorney upon information and belief, and filed together with such statement as aforesaid, shall have the same effect as if such complaint had been sworn to positively, and thereupon a warrant shall issue, directed to the proper officer, commanding him to search the premises described in the complaint, and to seize all intoxicating liquors and all vessels or bottles containing the same and arrest the keeper or keepers thereof, and said person or persons when arraigned before the court shall plead to his or their real name or names and shall be tried upon such complaint, and if found guilty shall be punished as provided in this article, and the court before whom such conviction may be had shall also order all the property seized by the officer as aforesaid to be publicly destroyed; provided, said court shall also find and adjudge such property was being used by the defendant at the time of such search and seizure for the purpose of unlawfully selling or bartering intoxicating liquors, as provided for in this Ordinance.

Section 14. In prosecutions under this ordinance it shall not be necessary to state the kind or quantity of liquor manufactured or sold, and it shall not be necessary to describe the place where the same was manufactured or sold, except in prosecution for the keeping and maintaining of a public nuisance as defined by this ordinance and it shall not be necessary to state the name of the person by whom the same was manufactured or sold, nor to state the name of the person to whom the same was sold; and it shall not be necessary in the first instance, for the city to allege or prove that the party charged did not have the legal authority to sell such liquor, or was not within any of the exceptions provided by this or-

dinance.

Section 15. In all prosecutions for maintaining a public nuisance as hereinbefore defined, the finding of intoxicating liquors in the possession of one not legally authorized to sell the same, except in a private dwelling house, not used in connection with a place of business shall be prima facie evidence that such liquors are kept for sale or use in violation of law, and evidence of the general reputation of the place designated in the complaint shall be admissible to prove the evistence of such public nuisance.

In all prosecutions for selling intoxicating liquor, if delivery of such liquor be proved, it shall not be necessary to prove a payment, but such delivery shall be prima facie evidence of such sale; and in any such prosecution evidence of other sales of intoxicating liquor at or about the same time by the same person or at the same place to other persons shall be admissible as tending to show the character of the business in which the defendant is engaged and the probability and credibility of such testimony as may be introduced of the particular sale or sales upon which the city shall rely for conviction.

In all prosecutions for having intoxicating liquor in possession, evidence showing that the defendant, on previous occasions, unlawfully had intoxicating liquor in his possession shall be admissible as tending to show the probability and credibility pf such testimony as may be introduced of the particular offense upon which the city may rely for conviction.

Section 16. Any person violating any of the provisions of this ordinance, shall upon conviction thereof be punished by a fine not exceeding Five Hundred Dollars ($500.00),

or by imprisonment for a period not exceeding six months or by both such fine and imprisonment; PROVIDED, that upon a second conviction for the offense of selling intoxicating liquor ~~[illegible]~~, a fine of not less than Two Hundred Dollars ($200.00), shall be imposed, and upon a third and subsequent convictions thereof, a fine of not less than Five Hundred Dollars ($500.00) shall be imposed.

Section 17. Ordinance number 110½ and all ordinances or parts of ordinances of the City of Bend, in conflict herewith are hereby repealed; PROVIDED, however, that such repeal shall in no wise affect violations of any of said ordinances committed prior to the enactment of this ordinance.

If any of the provisions of this ordinance shall be held void by competent authority for any reason, all other provisions thereof, not expressly declared to be void shall continue in full force and effect.

Section 18. It is hereby adjudged and declared that existing conditions are such that this ordinance should become effective as soon as possible for the preservation of the peace, health and safety of the citizens of the city of Bend; an emergency is therefore, hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council June 15th, 1923.

APPROVED this 20th day of June, 1923.

R. H. Fox

Mayor.

ATTEST:

Louis Bennett

CITY RECORDER.

ORDINANCE NUMBER 223

AN ORDINANCE REGULATING DANCING AND DANCE HALLS IN THE CITY OF BEND, (REPEALING ORDINANCE NUMBER 121 AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH) PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

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

Section 1. The term "dance", for the purposes of this ordinance, shall include:

1. Every dance not held in a private home or residence.

2. Any class in which instruction in dancing is given for hire.

The term "dance hall" shall mean any hall, room, pavilion, or place in which a dance, as above defined, is to be held.

Section 2. No dance hall, as defined in this ordinance, shall be used for a dance until a certificate of registration shall have been obtained. Application for such certificate of registration shall be made to the City Recorder at least ten (10) days before any dance is to be held in such hall. Such certificate shall be issued by the City Recorder to the owner or lessee of such hall, as follows:

Each certificate shall be for a period of one year expiring December 31, and the Recorder shall not issue such certificate unless he charge and collect fees as follows: $3.25 where the floor space is less than 2500 square feet; $6.25 where the floor space is 2,500 square feet and less than 5,000; and $12.50 where the floor space is 5,000 square feet or over. In computing floor space only that part of the floor actually used for dancing shall be considered. No certificate shall be granted for more or less than one year, but all certificates are subject to cancellation as herein provided, and the same shall so state upon the face thereof, and the same shall not be issued until the fees herein provided have been paid. The person to whom such certificate is issued shall forthwith post the same in a conspicuous place in the hall to which the same is applicable, and the owner, proprietor, or manager of such place shall at all times keep the same so posted while the same is in force and effect, and he shall forthwith remove the same whenever the same

is terminated or cancelled.

Section 3. Upon receiving application for such certificate of registration, the City Recorder shall notify the (Inspector of Dance Halls) immediately and no certificate of registration shall be issued unless such dance hall shall comply with and conform to all ordinances and regulations of this City, and be well ventilated and supplied with separate dressing rooms for men and women, and be a safe and suitable place for the purpose for which it is to be used, and it shall be the duty of the Inspector of Dance Halls to inspect every such place and certify to the Recorder that the same complies with this ordinance before such certificate shall be issued.

Section 4. No person shall serve, have or drink any intoxicating liquor in or about any such dance hall, and no dance shall be held or conducted in any place where intoxicating liquor may be obtained. (without leaving such dance hall and payment of the regular entrance charges in case of a return.) Repealed.

Section 5. No person shall give to any person leaving such dance hall a return check or other token whereby readmission to such dance hall can be obtained without the payment of a fee the same as on original admission, and no person leaving such hall shall receive any such ticket or token, or gain readmission without paying the same fee as upon original admission. Repealed

Section 6. No person shall hold or participate in any dance, as defined in this ordinance, on Sunday.

Section 7. No owner, proprietor, operator or manager, or any servant or agent of any such owner, manager, proprietor or operator of any dance, ball, dancing school or dance hall shall charge any fee for participation in any individual dance other than an entrance fee to such dance hall, and females shall not be admitted free, but shall be charged at least one-half the amount which may be charged for males. Repealed

Section 8. It shall be the duty of any person to whom a cer-

tificate of registration, as above provided, has been issued to retain the right, at any time, to cause dancing or the use of such dance hall to be suspended, and in case any knowledge or credible information shall come to him that any of the provisions of this ordinance are being violated, he shall forthwith cause such violation to cease or cause dancing in such dance hall to be discontinued, and the same to be vacated, and if it shall appear to the City Recorder, in proceedings against the holder of such certificate, or otherwise, that such holder has been negligent or dilatory in performing his duties under this ordinance, such City Recorder shall forthwith suspend such certificate, and send notice of such suspension to such holder. The City Recorder shall reinstate such certificate on recommendation of the Inspector of Dance Halls, if it shall be made to appear that the holder of such certificate has been diligent in performing his duties under this ordinance. If such showing is not made within ten days after the mailing of such notice, such certificate shall stand suspended. If at any time any certificate of registration shall be suspended under this ordinance no other certificate shall be issued to such person within a period of one month.

Section 9. The holder of such certificate of registration shall keep such dance hall in a clean, healthful and sanitary condition at all times, and have the stairways and other passages and all rooms and places connecting with such dance hall at all times open and well lighted.

Section 10. No corporation, club, society, person or persons shall hold any dance, as defined in this ordinance, without obtaining a permit therefor from the City Recorder and providing at least one female hall manager of good moral character.

Section 11. For the purpose of such permits, dances, as defined by this ordinance, shall be classified in divisions as follows:

Division A shall include (1) all dances of bona fide social character to which admission is limited strictly on invitation of the person, organization, society, or other acting as host and for which

no fee, either by way of admission or in any other manner, is charged; (2) Classes in which instruction is given for hire, providing those attending for the purpose of such instruction are under the age of fourteen years.

Division B shall include any dance given by any fraternal, charitable, religious or benevolent organization having a regular membership, associated primarily for mutual, physical and mental welfare, to which admission is limited to members and guests, but for which a fee is charged and the revenue accruing to such organization.

Division C shall include all dances for which admission is charged and to which the public is promiscuously invited, and all other dances within the scope of this ordinance not classified in Division A, B and C.

Section 12. The person, persons, society, club or corporation desiring a permit shall apply to the City Recorder therefor upon a form which the City Recorder shall furnish.

Section 13. Such application for a permit shall be made at least six hours before the dance is to begin and the permit shall be valid only for one dance at the time and place stated in the application, provided that where such applicant proposes to hold a dance, falling within Division C, at certain stated intervals at the same place such permit may be issued for such dances to be held at such places, providing the application sets forth the exact date of each dance. Such continuous permits shall be issued quarterly.

Section 14. The City Recorder shall not issue any dance permit unless he shall charge and collect therefor as follows:

Dances included in Division A, no charge.

Dances included in Division B, permit for one dance, fifty cents.

Dances included in Division C, permit for one dance, fifty cents. Permit for not more than one dance for each week, quarterly, $6.00. Permit for not more than three dances each week, quarterly, $9.00. Permit for not more than six dances each week, quarterly, $12.00.

Section 15. Upon a compliance with the foregoing provisions, the

City Recorder shall issue such permit, which permit shall indicate the division A, B, and C, in which the dance is classified.

Section 16. No certificate of registration or permit issued under the provisions of this ordinance shall be transferred unless the Inspector of Dance Halls be notified of such proposed transfer and gives consent thereto.

Section 17. The Mayor shall select and detail one or more officers of the Police Department to act as Inspector of Dance Halls, and the City Recorder shall refer to such officer every application for a certificate of registration, and such officer shall examine and investigate the place to which such application refers and report to the Recorder in writing whether such place conforms to the provisions of this ordinance and whether arrangements have been made for lighting the same. No certificate of registration shall be issued unless such Inspector shall be given at all reasonable times free access to such hall or place for the purpose of inspecting the same. In addition to the report herein required of the Dance Hall Inspector, he shall make a further report in writing to the Chief of Police upon all facts in connection with work under this ordinance.

Section 18. Each and every certificate of registration and every permit shall be given subject to the condition and provision that the Inspector of Dance Halls shall have the right to attend any dance, as defined in this ordinance, for the purpose of inspecting the same, and no person shall deny or refuse such Inspector admission thereto at any and all times while the same is being used for a dance, and it shall be the duty of such Inspector to faithfully visit all dances for which permits have been given and see that the provisions of this ordinance are well and truly complied with, and to arrest and prosecute any and all persons violating any of the provisions of this ordinance. Such Inspector shall not wear uniform.

Section 19. No certificate of registration shall be issued or renewed until after an inspection or reinspection of the premises by the Inspector of Dance Halls.

Section 20. It shall be the duty of the Inspector of Dance Halls to forthwith suspend any permit and cause any dance being held to be discontinued or terminated and the place where the same is being held to be vacated when any violation of the provisions of this ordinance shall not be at once corrected, upon notice by him to the person in charge to correct the same.

Section 21. All dances shall be discontinued and all dance halls shall be closed on or before the hour of twelve o'clock, midnight, provided, however, that upon application of a responsible person, organization or society, and investigation by the Dance Hall Inspector, he may grant such person, organization or society a permit to continue until a time specified in such permit, but no tickets shall be sold or accepted for admission to such dancehall after the hour of twelve o'clock, midnight.

Section 22. It shall be unlawful after nine o'clock P. M. to permit or suffer any person to attend or take part in any dance or remain in such dance hall, if such person is under eighteen years of age, unless such person be in company of at least one of his or her parents or legal guardian. It shall be unlawful for any person to make any misrepresentation or false statement as to the age of himself or herself, or any other person, for the purpose of obtaining the admission of such person as to whose age such statement or misrepresentation is made to any dance hall or the permission for such person to remain therein in violation of this ordinance, and it shall be unlawful for any person to represent herself or himself to be a parent or legal guardian of any other person in order that such person may obtain admission to such dancehall, or be permitted to remain therein in violation of this ordinance.

Section 23. Boisterous conduct and profanity shall be prohibited in dance halls and the hallways leading thereto. No dance of a gross or vulgar character shall be permitted in any dance hall and no person shall be permitted to conduct himself in a gross or vulgar

manner in said place. No undue familiarity shall be permitted. The position in dancing shall be as adopted by the American Association Masters of Dancing, known as the waltz position, which is as follows:

Dancers stand facing opposite directions, half to the side, with lady looking over gentleman's right shoulder, her left foot outside of gentleman's right foot, likewise his left foot outside of the lady's right foot, gentleman's right hand placed on lady's back between the waist and shoulder and not beyond the center line. Lady's left arm resting on the gentleman's right arm touching at the elbow. Lady's left hand placed on gentleman's lower right shoulder blade. Gentleman's left arm extended to left side, not below the waist-line or above the shoulder line, with palm of hand up. Lady's right hand placed, with palm down, in gentleman's left. This description refers to dances wherein the waltz or closed position is used. Partners shall keep their bodies and faces free from each other. The Inspector of Dance Halls shall have full power to decide what is proper or permissible in this connection, and on his notifying the person in charge of the dance that improper conduct is being indulged, then such person shall at once cause such improper conduct to be stopped. If he fails to do so, the Inspector shall proceed as provided in Section 20.

Section 24. The hall shall be brightly lighted during the progress of the dance and so-called "shadow dances" and "moonlight" dances" shall be prohibited.

Section 25. No intoxicated person shall be permitted in any dance hall during the progress of any dance.

Section 26. Smoking shall not be permitted in the dance hall proper, nor in any anteroom reserved for ladies, or in the hallway leading to such dance hall.

Section 27. Boisterous conduct and profanity shall be prohibited in the hallways leading to the dance hall.

Section 28. The Recorder shall have printed on a card, in type not less than twelve point in size, Section 5 and Sections 20 to 27

of this ordinance, inclusive, and such card shall be posted at the entrance of any dance hall for which a certificate of registration is issued.

Section 29. That Ordinance numbered 121, entitled "An Ordinance regulating public dances within the City of Bend, requiring a license therefor and repealing all ordinances or parts of ordinances of said City in conflict herewith", and all other ordinances and parts of ordinances in conflict herewith, be and the same are hereby repealed.

Section 30. Any person violating any of the provisions of this ordinance shall upon conviction thereof, be punished by a fine of not less than $5.00 or more than $250.00, or by imprisonment for not less than one day or more than 60 days, or by both fine and imprisonment.

Section 31. It is hereby adjudged and declared that existing conditions are such that this ordinance should become effective as soon as possible for the preservation of the peace, health and morals of the citizens of the City of Bend; an emergency is therefore hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council, June 15, 1923.

Approved this 4th day of August, 1923.

Attest:

Louis Bennett
City Recorder.

R H Fox
Mayor.

Read and passed under Emergency.

ORDINANCE NUMBERED 224.

AN ORDINANCE SPECIFYING THE HOURS OF THE NIGHT AFTER WHICH IT SHALL BE UNLAWFUL FOR CHILDREN TO BE ON THE PUBLIC THOROUGHFARES AND GROUNDS IN THE CITY OF BEND, PROVIDING THE MEANS FOR ENFORCING THE PROVISIONS OF THIS ORDINANCE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

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

Section 1. It shall be unlawful for any child under the age of 18 years to be on any street, alley or public grounds in the City of Bend, at night after the hour of 9 o'clock P. M., from and including the 1st day of September to and including the 31st day of the following May, and after the hour of 10 o'clock P. M. from and including the 1st day of June to and including the 31st day of the following August, unless such child is accompanied by a parent or legal guardian, or unless such child is engaged in some employment which makes it necessary that he or she be on the streets, alleys or public grounds of said City after the hours specified.

Section II. The parents or legal guardian of such child shall be legally responsible for the compliance of such child with the provisions of this ordinance.

Section III. It shall be the duty of any peace officer of said City to arrest any child violating the provisions of this ordinance and to use all diligence to find its parents or legal guardian, and for the first violation to take or send such child home and notify or cause to be notified its parents or legal guardian of such violation. Upon a second or subsequent violation, said child shall be sent or taken home by the officer, and its parent or legal guardian served with a subpoena to appear in Court with the child so arrested and show cause why this ordinance has been again violated. If such person shall not appear in response to said subpoena or shall fail to give a sufficient excuse for such violation, a complaint shall be filed against him or her charging a violation of this ordinance.

Section IV. It shall be unlawful for any person to make any misrepresentation as to the age of any person for the purpose of violating or evading any of the provisions of this ordinance.

Section V. Any person violating any of the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than $10.00.

Section VI. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VII. It is hereby adjudged and declared that existing conditions are such that this ordinance should become effective as soon as possible for the preservation of the peace, health and morals of the citizens of the City of Bend; an emergency is therefore hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council, June 25, 1923.

Approved this 30 day of June, 1923.

Attest:

Louis Bennett
City Recorder.

R. K. Fox.
Mayor.

City of Bend Ordinance Numbered 225.

An ordinance vacating parts of certain streets and alleys within the City of Bend:

WHEREAS, THE BEND WOOLEN MILLS, by petition duly filed with the recorder of the City of Bend on May 23, 1923, prayed for the vacation of that portion of Seward Avenue lying between the easterly side of First Street and the westerly side of the right-of-way of the Oregon Trunk Railway and also to vacate all that portion of the alley running north and south through Blocks Five and Six (5 & 6) of Lytle Addition to Bend, Oregon, as lies westerly of the Oregon Trunk right-of-way and;

WHEREAS, notice of the filing of said petition was given by posting a notice thereof in three public places in Bend, Oregon, on the 23rd day of May 1923 and more than thirty days prior to the first reading of this ordinance, all as more fully shown by the affidavit of John Steidl and;

WHEREAS, it satisfactorily appears that THE BEND WOOLEN MILLS is the owner of fee of all of the property affected by the proposed vacation and that it has filed with the recorder of the City of Bend its duly acknowledged consent to the vacation prayed for; therefore,

BE IT ORDAINED by the common council of the City of Bend;

That the plat of Lytle Townsite as filed in the office of the County Clerk of Deschutes County, Oregon, be and the same is hereby vacated as follows:

All that portion of Seward Avenue lying on the easterly side of First Street and the westerly side of the right-of-way of the Oregon Trunk Railway and also all that portion of the alley running north and south through Blocks Five (5) and Six (6) of Lytle Addition, Deschutes County, Oregon, as lies westerly of the Oregon Trunk Railway.

Read first time July 6, 1923

Read second time July 20, 1923

Passed. July 20, 1923

Approved R. H. Fox
Mayor.

ATTEST:

Louis Bennett
Recorder.

#225

FILED

DESCHUTES COUNTY

COUNTY CLERK

JAN 26 1931 AM

BEND, OREGON

No. E. 10426

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11:04 o'clock A M. and Recorded in Book 49 on Pages 454 Record of Deeds

J. L. Saunders COUNTY CLERK

BY R. E. Brooks DEPUTY

ORDINANCE NO. 226

AN ORDINANCE AMENDING SECTION 18 OF ORDINANCE NUMBER 31 OF THE CITY OF BEND AND DECLARING AN EMERGENCY.

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

Section I. Section 18 of Ordinance No 31 of the City of Bend, 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 amended so as to read as follows;

Section 18. Every person acting as artist, agent or canvasser, ~~or~~ who solicits for paintings, retouching, or furnishing pictures of any description, within the City of Bend, shall pay a license fee of $100.00 Dollars per week or 20.00 dollars per day, ~~except resident photographers and their agents~~; and every person who, as an agent or canvasserx solicits for orders for or sells books or maps shall pay a license of five dollars per week or two dollars per day except persons selling Bibles, newspapers and magazines.

Section 2. In as much as the welfare of the people of Bend requires that this ordinance become effective as soon as possible, an emergency is hereby declared to exist and this Ordinance shall be in full force from and after its passage by the Common Council and approval by the Mayor.

ATTEST:

Louis Bennett
City Recorder.

Approved this 20th day of July 1923.

R. K. Fox.
Mayor.

ORDINANCE NO 227

AN ORDINANCE SPECIFYING THE HOURS DURING WHICH IT SHALL BE UNLAWFUL FOR BOYS UNDER THE AGE OF FOURTEEN YEARS TO SELL OR DELIVER NEWS PAPERS AND OTHER PERIODICALS ON THE PUBLIC GROUNDS OR THOROUGHFARES OF THE CITY OF BEND:PROVIDING A PENALTY AND DECLARING AN EMERGENCY.

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

Section I. It shall be unlawful for any parent,guardian,custodian or other person having the custody of any boy under the age of fourteen years to require or permit such boy to deliver,sell,expose or offer for sale,any news paper,magazine or other periodical between the hours of nine O'clock P:M. and seven O'clock A:M. upon any public grounds or thoroughfare of the City of Bend;and it shall be unlawful for any boy under the age of fourteen years to deliver,sell ,expose or offer for sale any news paper,magazine or other periodical between the hours of nine P:M. and seven A.M. upon any public grounds or thoroughfare of the City of Bend.

Section 2. Any person violating the provisions of this ordinance shall upon conviction thereof,be subject to a fine of not less than ten dollars or to imprisonment for not less than ten days or to both such fine and imprisonment.

Section 3. In as much as it is necessary for the preservation of the health of the youth of the City of Bend that this ordinance become effective as soon as possible,an emergency is hereby declared and this ordinance shall become effective from and after its passage by the Common council and approval by the Mayor.

ATTEST: Louis Bennett
City Recorder.

Approved by the Mayor this 24 day of September,1923.

R. H. Fox
Mayor.

ORDINANCE NUMBER 228

AN ORDINANCE AMENDING ORDINANCE NUMBERED 223 OF THE CITY OF BEND, ENTITLED: An Ordinance regulating dancing and dance halls in the City of Bend, repealing Ordinance Number 121 and all other Ordinances in conflict herewith, providing a penalty and declaring an emergency; AND DECLARING AN EMERGENCY.

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

Section I. That Ordinance number 223 of the City of Bend be and the same is hereby amended by repealing Sections (5) and (7) thereof and amending Section (4) thereof so as to read as follows;

"Section 4. No person shall serve, have or drink any intoxicating liquor in or about any such dance hall, and no dance shall be held or conducted in any place where intoxicating liquor may be obtained.".

Section 2. In as much as it is necessary to the peace and order of the Citizens of Bend that this ordinance become effective as soon as possible, 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.

ATTEST: Louis Bennett
City Recorder.

Approved this 1 day of November, 1923;
P. H. Fox.
Mayor.

Read first time - Sept. 27, 1923
Read second time - Oct. 19, 1923

ORDINANCE NO 229

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $110 021.70 (54.210.40), providing and approving the form of the bonds to be issued and the coupons attached thereto; approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 51, 52, 53, 54, 55, 57, 60, 61 and 62 (63, 64, 66, 67, 68, 69, 70, 71, 72 & 73) in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $110 021.70 (48,846.53), have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in instalments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual instalments, with

interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by instalments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot or

parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $ 110,021.70, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date November 1, 1923, to be numbered 1 to 221 inclusive, all for $500 each, except bond No. 1 for $ 21.70, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or

any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Improvement Bond, Series 1923".

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No.1 shall be in the principal sum of $ 210.40 21.70 and the coupons attached thereto in the sum of $_____, to wit:

No_____. $500.00.

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND
Series 1923

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of ~~Washington~~ Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the first day of November, 1933, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the

requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of November, 1923.

Countersigned:

Louis Bennett
Recorder.

R. H. Fox
Mayor.

(COUPON)

No_____. $15.00.

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the first day of May/November, 19____, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six months' interest on Improvement Bond Series 1923, No_____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Countersigned:

Louis Bennett
Recorder.

R. H. Fox
Mayor.

SECTION 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance; now, therefore, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 22nd day of ~~October~~ November, 1923, by the following vote:

YEAS: 4

NAYS: 0

Submitted to the Mayor ~~October~~ November 22nd 1923.

Approved by the Mayor ~~October~~ November 23rd 1923.

Attest:

Louis Bennett.
Recorder.

R. H. Fox.
Mayor.

City of Bend ORDINANCE NO. 230

WHEREAS, School District No. 1 of Deschutes County, Oregon, is the owner of Blocks five (5), six (6) and seven (7) in Boulevard Addition to Bend, and makes use of said property for the operation of the Kenwood School; and

WHEREAS, there is lying between Blocks five (5) and six (6) a part of West Seventh Street, and between Blocks six (6) and seven (7) a part of West Eighth Street, and there are two alleys through Block six (6); and

WHEREAS, a petition has been presented by said School District No. 1 asking for the vacation of that part of West Seventh Street located between Blocks five (5) and six (6), and extending from Newport Avenue to Highland Boulevard, and asking for the vacation of that part of West Eighth Street lying between Blocks six (6) and seven (7) extending from Newport Avenue to Nashville Street, and asking for the vacation of the alleys located within Block six (6):

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Bend that the part of West Seventh Street lying between Blocks five (5) and six (6) of Boulevard Addition to Bend, extending from Newport Avenue to Highland Boulevard, and that part of West Eighth Street lying between Blocks six (6) and seven (7) of Boulevard Addition to Bend, extending from Newport Avenue to Nashville Street, and the alleys located within Block six (6) be vacated.

First Reading Nov. 2, 1923
Second Reading Nov. 22, 1923
Passed Dec. 7, 1923.
Approved by the Mayor this 7th Day of December, 1923.

Attest:

Louis Bennett
Recorder

R. H. Fox
Mayor

FILED



COUNTY CLERK

JAN 26 1931 AM

BEND, OREGON

No. E-10427

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11:05 o'clock A M. and Recorded in Book H9 on Pages 455 Record of Deeds.

J. H. Davidson COUNTY CLERK

BY R. K. Innes DEPUTY

City of Bend ORDINANCE NO. 231.

AN ORDINANCE VACATING A PORTION OF BROADWAY IN THE CITY OF BEND.

WHEREAS, Frank J.Mehl and others, by petition duly filed in the Office of the Recorder of the City of Bend,on January 18",1924,prayed for the vacation of that portion of Broadway in the City of Bend, herein after more particularly described; and

WHEREAS, Notice of the filing of said petition was duly given by posting written notice thereof in three public places within said City,on the 18" day of January,1924 and more than thirty days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of Robert B.Gould on file herein; and

WHEREAS, It appears that Frank J.Mehl, Cora M.Mehl, George W.Wallace and F.J. Mehl are the owners of all the real property immediately adjoining that portion of Broadway herein involved; and

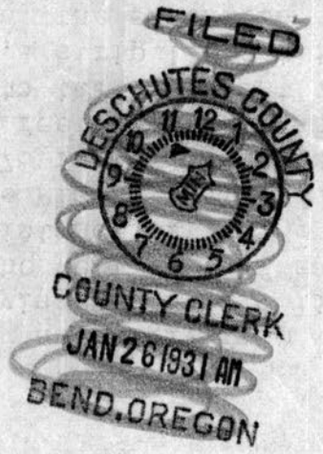
WHEREAS, upon the hearing of said petition by the Common Council of said City no objections was interposed to the granting of the prayer thereof and no reason appears why the same should not be granted; therefore,

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

Section 1.That the Plat of Deschutes as filed and of record in the office of the County Clerk of Deschutes County,Oregon be and the same is hereby vacated as follows:

that portion of Broadway extending northerly from the extended north boundary of Arizona Avenue and lying South of a line described as follows: Beginning at a point on the West line of said Broadway, which point is located S.0.08'39"W.a distance of 112.36 feet from the southeast corner of Block 17 of the Plat of Park Addition to Bend,Oregon; thence N.21 oo' E.for 57.78 feet; thence on a curve to the right,said curve having a radius of 40 feet,for a distance of 48.00 feet; thence N.89 45'E. for 3.25 feet to the Northeast corner of Block 1 of said Deschutes, excepting,however,a strip 12 feet in width to be used for alley purposes,said strip being the extension to the West of the alley in Block 1 of the Plat of Deschutes and extending from the East line of Broadway to the West line thereof.

Section 11. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.



No. E 10

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the _____ day of _____ A. D. 19___ at _____ o'clock _____ M. and Recorded in Book _____ on Pages _____ Record of _____

_____ COUNTY CLERK

BY _____ DEPUTY

ATTEST: Louis Bennett
Recorder

Approved this 21st day of March, 1924.

R H Fox.
Mayor

First Reading: Mar. 7, 1924
Second Reading: Mar. 21, 1924.
Passed: Mar. 21, 1924.

FILED



COUNTY CLERK

JAN 26 1931 AM

BEND, OREGON

No. E-10428

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11:07 o'clock A. M. and Recorded in Book H9 on Pages 455 Record of Deeds.

J. J. Gardner COUNTY CLERK

BY [illegible] DEPUTY

ORDINANCE NO. 232

AN ORDINANCE TO PREVENT THE SPREAD OF INFECTIOUS DISEASES IN THE CITY OF BEND, AND PROVIDING THAT ALL PERSONS PROPOSING TO ENGAGE IN CERTAIN OCCUPATIONS THEREIN SHALL FIRST OBTAIN A HEALTH CERTIFICATE, REPEALING ORDINANCE NO. 180 OF THE CITY OF BEND, AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

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

Section 1. No person affected with any infectious disease in a communicable form or without a health certificate provided for in the following section, shall engage, be employed or serve in any work, occupation or employment which requires or occasions the handling of any food, liquid or material intended for food or drink for human consumption, or the handling of any dishes or other article used in the preparation or serving of food or drink for human consumption, and it shall be unlawful for any owner, proprietor, manager, or agent or representative or such owner or proprietor of any establishment, business or occupation to employ or retain in his or her employ for the performance of such service any person who may be without such certificate or refuses to exhibit the same or who is known or reasonably believed to be affected with such disease, and it shall be unlawful for any person knowing or having reasonable cause to believe himself or herself to be affected with such disease to seek or continue in such employment or service. This section shall not apply to any person who handles such food or liquid or food products exclusively while contained in wrappers, boxes, cases or other containers or by mechanical means, in such manner that such food cannot come in contact with the hands or any portion of the body of such person, it being intended hereby to prevent the handling of such food, liquid or food products, dishes and

other articles in any manner whereby such disease or diseases may be spread or communicated.

Section 2. Each person who may be engaged in any occupation, work or service covered by the preceding section or intending to engage therein, shall, on or before the 30th day of June and the 31st day of December of each year, present himself or herself to the City Physician or those acting under him, for examination, which examination shall be made without charge, and if it be found from such examination that such person is free from any such disease, a certificate of health shall be issued to such person. No such certificate shall have any validity, force or effect after the date herein fixed for the next succeeding examination, and any person who may be engaged in any work, occupation or service covered by the preceding section shall exhibit such certificate whenever requested to do so by any city inspector or by the employer of such person. It shall be unlawful for any person to obtain such examination from said City Physician without being engaged or intending to engage in such work, occupation or service, and it shall be unlawful for any person to make any false statement or representation for the purpose of obtaining such examination or for the purpose of obtaining any such certificate. It shall be unlawful for any person who may have obtained such certificate to give or loan the same or allow anyone else to use the same, and it shall be unlawful for any person to use or exhibit as his or hers any certificate which may have been issued to some other person, or to state or represent that he or she has obtained or has such certificate when such is not the fact. Any person who may be engaged in the work covered by this section shall, whenever required by the City Physician of this city or any of his authorized assistants, submit to a further examination for the purpose of determining whether or not such person has

contracted any such disease since the previous examination or whether or not such person has such disease, and it shall be unlawful for any person to continue in such work, employment or service unless a further examination be taken and such person found to be free from such disease, and if such person be found to be affected with such disease it shall be unlawful for such person to keep or have any certificate previously issued, and such person shall surrender and turn over such certificate to the City Physician of the city or his authorized assistants for cancellation, and it shall be unlawful for such person to refuse or neglect so to.do.

Section 3. Ordinance No. 180 of the City of Bend is hereby repealed.

Section 4. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punished by a fine of not more than $500.00, or by imprisonment for not more than six months, or by both such fine and imprisonment.

Attest:
Louis Bennett
City Recorder.

Approved this 3rd day of April, 1924.
R. H. Fox
Mayor.

Read first time Apr. 18, 1924
Read second time May. 2, 1924 and Passed.

City of Bend ORDINANCE NO. 233

AN ORDINANCE VACATING THE ALLEY IN BLOCK SEVEN (7) OF BEND, DESCHUTES COUNTY, OREGON.

WHEREAS, Union High School No. 2 of Deschutes County, Oregon, and Masonic Holding Corporation, by petition duly filed in the office of the Recorder of the City of Bend on March 25, 1924, prayed for the vacation of the alley in Block Seven (7) of Bend; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three public places within said City on the 25th day of March, 1924, and more than thirty days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of J. C. Rhodes on file herein; and

WHEREAS, it appears that said Union High School District No. 2 of Deschutes County, Oregon, and said Masonic Holding Corporation are the owners of all the real estate immediately adjoining said alley; and

WHEREAS, upon the hearing of said petition by the Common Council of said City no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted; therefore

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

Section 1. That the plat of Bend as filed and of record in the office of the County Clerk of Deschutes County, Oregon, be and the same hereby is vacated as to the alley in Block Seven (7) thereof, reserving to the public the right to construct any necessary subsurface conduit therein.

Section 2. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST: Louis Bennett
City Recorder.

Approved this 20 day of April, 1924.

R. H. Fox
Mayor.

Read first time May 2, 24
Read 2nd time May 19, 1924
Passed

FILED

DESCHUTES COUNTY

COUNTY CLERK

JAN 26 1931 AM

BEND, OREGON

No. E. 10439

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11 o'clock A. M. and Recorded in Book 49 on Pages 456 Record of Deeds.

J. L. Hamilton COUNTY CLERK

BY B. I. Jones DEPUTY

City of Bend ORDINANCE NO. 234

AN ORDINANCE VACATING THAT PORTION OF KANSAS AVENUE, FORMERLY A PORTION OF LAVA ROAD, LYING BETWEEN WALL AND BOND STREETS IN THE CITY OF BEND, DESCHUTES COUNTY, OREGON.

WHEREAS, Union High School District No. 2 of Deschutes County, Oregon, by petition duly filed in the office of the Recorder of the City of Bend on March 25, 1924, prayed for the vacation of that portion of Kansas Avenue lying between Wall and Bond Streets in the City of Bend; and

WHEREAS, Notice of the filing of said petition was duly given by posting written notices thereof in three public places within said City on the 25th day of March, 1924, and more than thirty days prior to the hearing of the said petition by the Common Council of said City, as more fully appears from the affidavit of J.C. Rhodes on file herein; and

WHEREAS, it appears that said Union High School District No. 2 of Deschutes County, Oregon, is the owner of all the real estate immediately adjoining said portion of Kansas Avenue; and

WHEREAS, Upon the hearing of said petition by the Common Council of said City no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted; therefore

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

Section 1. That the Plat of Bend as filed and of record in the office of the County Clerk of Deschutes County, Oregon, be and the same is hereby vacated as to that portion of Kansas Avenue, formerly a portion of Lava Road, lying between Wall and Bond Streets, reserving to the public the right to construct any necessary subsurface conduit therein.

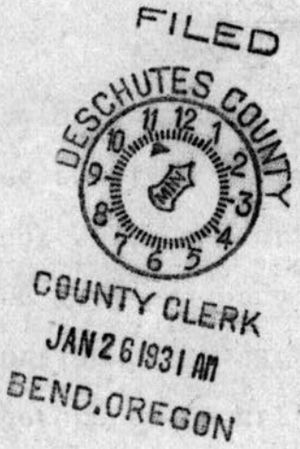
Section 2. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST:

Louis Bennett
City Recorder.

Approved this 20th day of ~~April~~ May, 1924.

P. H. Fox,
Mayor.



No. E 10430

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11:05 o'clock A M. and Recorded in Book H9 on Pages 457 Record of Deeds.

J. V. Landon COUNTY CLERK
BY Bit Jones DEPUTY

ORDINANCE NO. 235

AN ORDINANCE PROVIDING FOR THE REGULATION OF DAIRIES AND THE PRODUCTION AND DISPOSAL OF MILK AND CREAM WITHIN THE CITY OF BEND, OREGON, AND PROVIDING A PENALTY FOR ITS VIOLATION.

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

Section 1:- No person shall produce for sale or shall bring into the City of Bend, for sale, or shall within said city sell or offer for sale, dispose of, exchange or deliver, milk or cream, without having first obtained a permit to sell and deliver milk and cream in said city.

Section 2:- Before such permit is issued there shall be an inspection of the cows, premises and equipment of the dairy ~~[illegible]~~ to be operated under same ~~[illegible]~~, and such inspection shall show that the requirements of this ordinance are complied with.

Section 3:- The Common Council may revoke authority to sell milk if these rules and regulations are violated; provided, however, that in case such violation renders the spread of disease likely or probable, the City Physician or his authorized representative may suspend the permit pending the action of the Common Council, and may condemn and destroy milk so produced.

Section 4:- Permit fees shall be as follows:

Producers or distributors	selling	10 or less	Qts.	per	day,	$ 3.00
"	"	10 to 20	"	"	"	$ 6.00
"	"	20 to 50	"	"	"	$15.00
"	"	50 to 100	"	"	"	$25.00
"	"	over 100	"	"	"	$35.00

Such permit, unless revoked, shall be valid for a period of one year from the date of application for same, provided that nothing in this ordinance shall require a permit or license fee for the production and sale within the City of Bend of cream, which is to be pasteruized and made into butter, or ice cream; provided, however, that cream produced in violation of the laws of the State of Oregon and the rules and regulations of the Oregon State Board of Health,

and rules and regulations ofthe State Dairy and Food Commissioner, shall be prohibited from sale within the said city.

Section 5:- Every person producing milk for sale under this ordinance shall have at least the following equipment:- Dairy barn, barnyard, milkhouse, adequate water supply, utensils, bottles. The dairy barn shall be situated so that it hsa good drainage and surface water cannot accumulate under it. It shall have a roof which does not leak, wind tight walls, and doors and windows shall have sufficient slope to drain well. The floor shall be smooth and free from depressions. If there is a loft over that portion of the barn where milking is done, it shall be provided with a dust-proof floor. Adequate washing facilities shall be provided for the milkers and they shall be of easy access. The floor and mangers shall be kept clean at all times and gutters cleaned at least once daily. Drains shall not be cleaned within one hour prior to milking time. The walls, ceilings and partitions shall be kept free from dirt and cobwebs, and shall be whitewashed every six months, unless concrete is used.

The barnyard shall be well drained and free from water and manure and rubbish. No manure shall be maintained within 50 feet of the barn.

The milkhouse shall contain at least one room which is used exclusively for preparing milk for market. The milk-house shall be so constructed that it can be easily kept clean, well ventilated and free from dust, insects and vermin, and shall be so kept.

All washing and sterilizing of bottles and utensils shall be done in a room separated from the room in which the milk is cooled and bottled.

There shall be an ample supply of clean, pure water, which shall be protected from contamination.

All utensils shall be of simple construction so as to be easily

ORDINANCE NO. 236

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $54,210.40, providing and approving the form of the bonds to be issued and the coupons attached thereto; approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 51, 52, 53, 54, 55, 57, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 72 and 73 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $54,210.40, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City writtenaapplications to pay said assessments in instalments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and.

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessments in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the

property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by instalments, as provided by law, the City Recorder has entered in a docket kept for the purpose under separate heads for each street or sewer by name or number, a description of each lot or parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

Section 1. That the City of Bend do issue bonds in the

name of and under the corporate seal of said City in the aggregate smount of $54,210.40, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date August 1st, 1924, to be numbered 222 to 330 inclusive, all for $500.00 each, except bond No. 222 for $210.40, siad bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the Signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as"City of Bend Improvement Bond, Series 1924".

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No. 222 shall be in the principal sum of $210.40, and the coupons attached thereto in the sum of $6.31, to-wit:

cleaned, joints and rims of utensils to be smooth and seams entirely filled with solder. Utensils used for milk shall be used for no other purpose. Utensils shall be thoroughly cleaned and steam sterilized after using and inverted uncovered on a rack.

Section 6:- The milk shall be cooled down to 60 degrees Fahrenheit, or less, immediately after milking and shall be maintained at 60 deg. F. or less until delivered to the consumer, except during the process of pasteurization, if such process is used.

No milk shall be sold or offered for sale from cows that are not entirely free from disease and tuberculin tested. All reactors to the tuberculin test shall be removed from the herd. Milk from sick animals shall be discarded and such animal isolated from the herd, until readmitted by a qualified veterinarian or the City Physician.

Milk shall not be used from a cow 15 days to nor 5 days subsequent to parturition or freshinging.

Milk that is unnatural in appearance shall be discarded and the pail shall not be used again until it has been thoroughly cleansed.

No milk cans shall be allowed to remain in the barn.

Milk shall be delivered to the ultimate consumer in clean, sterilized bottles; provided, however, that it shall not be unlawful for hotels, restaurants, bakeries, etc., to purchase milk in bulk in quantities of one gallon or more.

Section 7:- All cows shall be sufficiently clean at milking time as to render it impossible for dirt or manure to get into the milk. Hair on the udder and adjacent parts shall be kept short. Long hair on the tail switch shall be trimmed and kept free from dirt. At least ten minutes before each milking dry dirt and loose hair shall be removed from the cows.

Just before milking, the cow's udder, teats and flank shall

be moistened with a wet cloth, and only the teats shall be dried again. One towel for drying shall not be used for more than six cows.

Persons engaged in milking shall wear a washable suit and cap. It shall be kept clean at all times and used during milking only. Their hands shall be washed before milking.

Section 8:- By and with the consent of the Common Council the Mayor may appoint a Dairy and Milk Inspector, whose duty it will be to assist the City Physician and Chief of Police in the enforcement of this ordinance. His annual salary shall be not in excess of $150.00 more than the income derived from the permit and fines arising under this ordinance.

Section 9:- Any person violating any of the provisions of this ordinance on conviction thereof shall be punished by a fine not exceeding $100.00 or by imprisonment in the city jail for a period not exceeding 50 days, or by both such fine and imprisonment.

Approved by the Mayor this 20th day of May, 1924.

R. H. Fox.
Mayor.

ATTEST:
Louis Bennett.
Recorder.

Read first time May 5, 1924.
Read 2nd time May 19, 1924
Passed.

No. $500.00

UNITED STATE OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND
Series 1924.

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the first day of August, 1934, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first days of February and August of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by t the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or

after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faithand credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this ____day of August, 1924.

Countersigned:

Louis Bennett
Recorder

R. H. Fox
Mayor

(COUPON)

No. $15.00

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the 1st day of February, 19____, in gold coin
August

of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six months' interest on Improvement Bond. Series 1924, No.____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Countersigned:

Louis Bennett
Recorder.

R. H. Fox
Mayor

Section 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance; now, therefore, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 1st day of August 1924, by the following vote:

YEAS: 5

NAYS: 0

Submitted to the Mayor August 2nd, 1924.

Approved by the Mayor August 2nd, 1924.

Attest:

Louis Bennett
Recorder

R. H. Fox.
Mayor.

ORDINANCE NO 237

AN ORDINANCE REGULATING TRAFFIC ON THE PUBLIC THOROUGFARES OF THE CITY OF BEND AT THE TIME OF FIRES, CREATING THE BEND FIRE PATROL, DEFINING ITS POWERS AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

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

Section I. Whenever an alarm of fire is sounded from the central fire station, all vehicles upon the public thoroughfares of the City of Bend shall immediately pull in to the curb and remain stationary for at least five minutes; PROVIDED: that the foregoing provision shall not apply to vehicles transporting firemen, members of the Fire Patrol and Police Department nor to City Fire Equipment.

Section 2. All vehicles except those mentioned in the proviso contained in Section I of this ordinance, shall maintain a distance of at least two city blocks from any fire. The double parking of vehicles or the blocking of traffic in any other manner, in the vicinity of a fire, is hereby forbidden.

Section 3. All persons, except firemen, policemen, members of the Fire Patrol and representatives of the local newspapers, authorized by the Mayor, are hereby forbidden to pass the fire lines as established by the Chief of the Fire Department or his representative at any fire; PROVIDED; that the Chief of the Fire Department or his representative at any fire may permit interested persons to pass saidfire lines.

Section 4. There is hereby created the Bend Fire Patrol to consist of persons appointed by the Mayor and confirmed by the Common Council; the members of said Fire Patrol shall serve without pay, shall have power to enforce the provisions of this ordinance and in that connection shall have the powers of peace officers.

Section 5. Any person violating the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than five Dollars or more than fifty Dollars or to imprisonment for not less than five days or more than sixty days or to both such fine and imprisonment.

ATTEST: Approved this

237

Section 6. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST:

Louis Bennett
City Recorder.

Approved this 15th day of August, 1924

R. H. Fox,
Mayor.

Read 1st time Aug 4-1924.
" 2nd time Aug 15-1924

ORDINANCE NO. 238

AN ORDINANCE DEFINING THE DUTIES OF THE MAYOR AND FIXING HIS SALARY.

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

Section 1. The Mayor of the City of Bend shall devote his full time to the service of the City and shall co-operate with the City Council in the discharge of his duties.

Section 2. The mayor shall receive a salary of twenty-five hundred Dollars a year, payable in twelve equal monthly installments, commencing with the month of July, 1924.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST: Louis Bennett
City Recorder.

Approved this 15th day of August, 1924.

R. H. Fox.
Mayor.

Re-engrossed

Read 1st time Aug 4-1924
" 2nd time Aug 15-1924

ORDINANCE NO. 239

AN ORDINANCE DEFINING THE TERMS, "PEDLER" AND "TRANSIENT DEALER", PROVIDING FOR THE IMPOSITION OF A TAX UPON THE OCCUPATIONS OF PEDLER AND TRANSIENT DEALER WITHIN THE CITY OF BEND, FIXING THE AMOUNT OF SUCH TAX, PROVIDING FOR COLLECTING THE SAME, FIXING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

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

Section 1. The term, "Pedler" as used in this ordinance means and includes the following persons: (1) Every person who, for himself or as the agent of another, goes from house to house in the City of Bend, carrying for sale or exposing for sale any article of commerce; and, (2) every person who, for himself or as the agent of another, goes from place to place or from house to house in the City of Bend selling or offering to sell, for future delivery and future entire payment, by sample or catalog, at retail to individual purchasers who are not dealers in the article sold, any article of commerce.

The term, "Transient dealer" as used in this ordinance means and includes any person who, for himself or as the agent of another, conducts a mercantile business in the City of Bend from a fixed place of business, temporarily maintained therein.

Section 2. Before exercising the occupation of a pedler as herein defined within the City of Bend, every person shall pay to the City Treasurer of said City the sum of one hundred ($100.00) Dollars as a tax upon said occupation, which shall be in addition to any license fee; PROVIDED; that the provisions of this ordinance shall not apply to nor include the selling of any agricultural, farm or nursery products by the producer thereof ~~(or his employee)~~ nor shall this ordinance be so construed as in any manner to interfere with or regulate interstate commerce. Said tax shall be payable by any person proposing to engage in the occupation of pedler in the City of Bend once only in any one calendar year.

Section 3. Before exercising the occupation of a transient dealer as herein defined, within the City of Bend, every person shall pay to the City Treasurer thereof a tax on said occupation in proportion to the value of the stock of merchandise he propses to sell, as follows; where said value shall not exceed $2000.oo, a tax of One hundred($100.oo) Dollars; where said value shall exceed $2000.oo and not exceed $4000.oo, a tax of Two hundred($200.oo) Dollars; where such value exceeds $4000.oo, a tax of Three hundred($300.oo) Dollars, which tax shall be in addition to any license,

Section 4. Any person violating the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than Two hundred($200.oo) Dollars or more than Five Hundred ($500.oo) Dollars or to imprisonment in the City jail for not less than thirty days or more than six months or to both such fine and imprisonment.

Section 6. In as much as the City of Bend is not, at the present time deriving any income from the taxation of pedlers and transient dealers operating within said city and in as much as it is necessary that such income be made a vailable for the use of the city at as early a date as possible, an emergency is hereby declared and this ordinance ~~that~~ shall be in full force and effect from and after its passage by the Common Council and approval by the mayor.

ATTEST: Louis Bennett
City Recorder.

Approved this 9 day of September 1924.

R. H. Fox.
Mayor.

Aug. 22. '24 Read 1st time.
Sept. 5. '24 Read 2nd & 3rd time & passed

ORDINANCE NO. 240

AN ORDINANCE DEFINING THE TERM, "SOLICITOR", REGULATING SOLICITORS WITHIN THE CITY OF BEND, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ORDINANCE NUMBERED 226 OF THE CITY OF BEND.

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

Section 1. A solicitor within the meaning of this ordinance is defined to be any person who goes from place to place or from house to house in the City of Bend selling or taking orders for or offering to take orders for goods, wares or merchandise or any article for future delivery or for services to be performed in the future, or for the making, manufacturing or repairing of any article or thing whatsoever for future delivery; PROVIDED, however that this ordinance shall apply only to solicitors who demand, accept or receive payment or deposit of money in advance of final delivery.

Section 2. It shall be unlawful for any person to act as a solicitor within the meaning and application of this ordinance without first securing a license from the City Recorder of said city, which license shall be issued to him upon payment of license fees as follows: For soliciting on foot, $3.00 per week or $1.00 per day; for soliciting from a vehicle, $10.00 per week or $2.00 per day, and no license issued hereunder shall be transferable.

Section 3. Any person desiring a license to act as a solicitor within the City of Bend shall make application therefor on forms to be provided by the City Recorder, stating the name and address of the applicant, the name and address of the person, firm or corporation which he represents, and the kind of goods offered for sale or the kind of services to be performed. Such application shall be accompanied by a bond in the penal sum of $500.00 executed with corporate surety, or in lieu thereof a cash bond of equal amount, conditioned upon the final delivery of the goods ordered or services to be performed in accordance with the terms of such order, or failing therein that the advance payment on such order be refunded.

Any person aggrieved by the action of any such solicitor shall have aright of action on the bond for the recovery of money or damages or both. Such bond shall remain in full force and effect and in case of a cash ~~xxxx~~ deposit, such deposit shall be retained by the City of Bend for a period of ninety years after the expiration of any such license, unless the same is sooner released by order of the common council.

Section 4. All orders taken by licensed solicitors shall be in writing, in duplicate, stating the terms thereof and the amount paid in advance and one copy shall be given to the customer.

Section 5. Any person violating any of the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than Two hundred($200.oo) Dollars or more than Five Hundred(500.) Dollars or by imprisonment for not less than thirty days or more than six months or by both such fine and imprisonment.

Section 6. Ordinance number 226 of the City of Bend, entitled: An ordinance amending Section 18 of Ordinance No. 31 of the City of Bend and declaring an emergency, approved July 20", 1923, is hereby repealed.

Attest: Louis Bennett
City Recorder.

Approved this 19 day of September 1924

R H Fox
Mayor.

Read first time Sept. 5- 1924
Read second time Sept. 19. 1924
Passed Sept. 19, 1924

ORDINANCE NO. 241

AN ORDINANCE VACATING A PORTION OF FIRST STREET IN THE CITY OF BEND, DESCHUTES COUNTY, OREGON.

WHEREAS, the owner of Lots 5, 6, 7 and 8 of Block 9 of the Plat of Lytle in the City of Bend, by petition duly filed in the office of the Recorder of the City of Bend on August 29, 1924, prayed for the vacation of the hereinafter described portion of First Street in the Plat of Lytle; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three public places within the City of Bend on the 29th day of August, 1924, and more than thirty days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of Robert B. Gould on file herein; and

WHEREAS, it appears that said petitioners are the owners of all real estate lying adjacent to the hereinafter described portion of said street; and

WHEREAS, upon the hearing of said petition by the Common Council of said city, no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted; therefore

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

SECTION 1. That the plat of Lytle as filed and of record in the office of the County Clerk of Deschutes County, Oregon, be and the same is hereby vacated as to the following described portions of First Street, to wit;

Beginning at the north-east corner of Block 9 of the Plat of Lytle thence S0°35'43"W. along the east boundary of said block for 77.05 feet; thence N.16°39'E. along the west boundary of the right-of-way of the Oregon Trunk Railway for 80.39 feet; thence westerly 22.23 feet to the point of beginning.

SECTION 2. Inasmuch as the proposed improvement of certain streets in the City of Bend will be delayed pending the vacation of the said First Street and it being necessary that the said improvements proceed without delay, owing to the approach of cold weather, 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.

Louis Bennett
Recorder.

Approved this 3rd day of Oct 1924.

R H Fox
Mayor.

1-
2
Passed Aug 3-24

No. D444

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 9th day of July A. D. 1926 at 8 o'clock A M., and Recorded in Book 47 on Pages 96 Record of Deeds

J. H. Haner
County Clerk.

By _____ Deputy

ORDINANCE NO 242

AN ORDINANCE VACATING A PORTION OF EAST QUIMBY AVENUE IN THE CITY OF BEND, DESCHUTES COUNTY, OREGON.

WHEREAS, the owners of all lots and parcels of land adjoining the hereinafter described portion of East Quimby Avenue, by petition, duly filed in the office of the Recorder of the City of Bend, on August 29th, ... 1924, prayed for the vacation of the hereinafter described portion of East Quimby Avenue in the Plat of Lytle; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three public places within the City of Bend on the 29 day of August, 1924, and more than thirty days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of Robert B. Gould on file herein; and

WHEREAS, it appears that said petitioners are the owners of all real estate immediately adjoining said street; and

WHEREAS, upon the hearing of said petition by the Common Council of said City, no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted; therefore

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

Section 1. That the Plat of Lytle as filed and of record in the office of the County Clerk, of Deschutes County, Oregon, be and the same is hereby vacated as to the following described portions of East Quimby Avenue, to-wit;

A portion of East Quimby Avenue beginning at the southwest corner of Block 10 of the Plat of Lytle; thence easterly along the south line of said block for 140 feet; thence southerly on the continuation of the alley in said block for 46.13 feet; thence S.59°30'W. for 27.25 feet to a point in the north line of Block 9 of Lytle; thence westerly 116.66 feet along said block line to the northwest corner of said Block 9; thence northerly 60 feet to the point of beginning.

Also a portion of East Quimby Avenue described as follows: Beginning at the southwest corner of lot 1 of Block 10 of the said plat of Lytle; thence southerly along the continuation of the east line of the alley in said block for 34.25 feet; thence N.59°30'E. for 67.33 feet to a point in the south line of said Block 10; thence westerly along said south line of Block 10 for 57.65 feet to the point of beginning.

Also a portion of said East Quimby Avenue described as follows: Beginning at a point in the north line of Block 9 of the plat of Lytle which point is located 65.42 feet westerly from the northeast corner of said Block 9; thence easterly along the said north line of Block 9 and the continuation thereof for 87.65 feet to the west boundary of the right-of-way of The Oregon Trunk Railway; thence N.16°39'E. for for 65.57 feet along said right-of-way line; thence S.59°30'W. for 123.53 feet to the point of beginning.

Section 2. Inasmuch as the proposed improvement of certain streets in the City of Bend will be delayed pending the vacation of the said East Quimby Avenue and it being necessary that said improvements proceed without delay owing to the approach of cold weather, an emerg-

Ord. # 242.

ency 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.

Louis Bennett
Recorder

Read 1st time Oct. 3, 1924

Approved this 3 day of October 1924.

R H Fox
Mayor.

No. 0H45

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 9th day of July, A. D. 1926 at 8 o'clock A. M., and Recorded in Book 42 on Pages 96 Record of Deeds

County Clerk.

By _____ Deputy

ORDINANCE NO. 243

AN ORDINANCE DESCRIBING A PUBLIC THOROUGHFARE IN THE CITY OF BEND AND NAMING THE SAME DESCHUTES PLACE AND DECLARING AN EMERGENCY.

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

Section 1. That a strip of land, located within the corporate limits of the City of Bend, heretofore dedicated to and acquired by the public for the purpose of a thoroughfare, the center line of which is described as follows: Begining at a point on the west boundary of the north-east quarter of the north-east quarter of Section 32, T. 17 S., R. 12 E., W.M., which point is located 145.00 feet S.0°14' 22"E from the north-west corner of said north-east quarter of the north-east of Section 32; thence N.59°30'E. for 943 feet more or less to a termination in the westerly boundary of the right-of-way of the Oregon Trunk Railway, be and the same hereby is designated as a public thoroughfare the same to be hereafter known as, and referred to as "Deschutes Place".

Section 2. That, in as much as it is necessary that said tract be designated as a public thoroughfare and properly named before the same may be included in an improvement district prodeeding, now pending, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the city council and approval by the Mayor.

Approved this 16th day of October, 1924.

C P H Fox
Mayor

Attest:

Louis Bennett City Recorder.

Ord. # 243 1/2

No. 0446

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 9th day of July, A. D. 1926 at 8 o'clock a M., and Recorded in Book 42 on Pages 92 Record of Deeds

J. W. Vaux
County Clerk.

By _____ Deputy

243

#243

City of Bend, Deschutes County, Oregon,

September ____, 1924.

At a regular meeting of the Council of the City of Bend, Deschutes County, Oregon, duly called and held at the hour of 8 o'clock P .M. on this 3rd day of ~~September~~ October, 1924, with Mayor R. H. Fox, Recorder Louis Bennett, and the following members of the Council, to wit: Henkle, Wiel Silvis, Miswonger, Schilling and Carlson in attendance, the following business was transacted:

Thereupon, proposed Ordinance No. 243 was regularly introduced and read the first time.

Thereupon, motion was duly made, seconded and unanimously carried that said proposed ordinance be passed to its second reading. Said proposed ordinance was then read the second time.

After said proposed ordinance had been read the second time, motion was duly made, seconded and unanimously carried that said proposed Ordinance be passed to its third reading.

After said proposed Ordinance had been read the third time motion was duly made, seconded and unanimously carried that said proposed Ordinance be placed upon its final passage, which said proposed Ordinance was thereupon numbered Ordinance No. 243, and which said Ordinance with the vote thereon is in words and figures as follows:

ORDINANCE NO. 243.

AN ORDINANCE to provide for the issuance of City of Bend General Obligation Street Improvement Bonds in the sum of forty-four thousand dollars ($44,000) for the purpose of providing funds to improve the north and south highway streets in said City; providing for the form of the bonds to be issued and the coupons attached thereto; ratifying, approving and confirming the sale of said bonds and declaring an emergency.

- - - - -

WHEREAS, under and pursuant to the provisions of an amendment to the City charter of the City of Bend, Deschutes County, Oregon, duly submitted to and adopted by the legal voters of said City at an election duly called and held in said City on the 6th day of September, 1924, the Council of said City was duly authorized and empowered to issue bonds of said City in the sum of forty-four thousand dollars ($44,000) for providing funds to improve the north and south highway streets in said City; and

WHEREAS, no bonds have been heretofore issued for said purpose and it now becomes necessary to procure funds therefor; now, therefore:

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

Section 1. That the City of Bend do issue bonds in the sum of forty-four thousand dollars ($44,000), par value in amount, said bonds to be in denominations of $1000 each, numbered 1 to 44 inclusive, to be dated September 1, 1924, and to mature serially in numerical order at the rate of $4000 per annum on the 1st days of September in each of the years 1934 to 1944 inclusive, said bonds to bear interest

at the rate of five and three-quarters per cent (5-3/4%) per annum, payable semi-annually on the first days of March and September, principal and interest to be payable in United States gold coin of the present standard of value at the Fiscal Agency of the State of Oregon in New York City, said bonds to be signed by the Mayor and countersigned by the Recorder under the corporate seal of said City, the interest on said bonds to be represented by semi-annual interest coupons attached thereto bearing the engraved facsimile signatures of said Mayor and Recorder, which said bonds shall be known as "City of Bend General Obligation Street Improvement Bonds."

Section 2. The said City of Bend General Obligation Street Improvement Bonds and the coupons attached thereto shall be in substantially the following form:

No._____. $1000

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND

GENERAL OBLIGATION STREET IMPROVEMENT

B O N D

CITY OF BEND, DESCHUTES COUNTY, OREGON, for value received, hereby promises to pay to bearer the sum of

ONE THOUSAND DOLLARS

on the first day of September, 19____, with interest thereon at the rate of five and three-quarters (5-3/4%) per cent per annum, payable semi-annually on the first days of March and September to the bearer of the respective coupons therefor hereto attached upon presentation and surrender thereof as they mature, both principal and interest being payable in United States gold coin of the present standard of value at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of like date and tenor, except as to maturities, numbered 1 to 44 inclusive, aggregating forty-four thousand dollars ($44,000) par value in amount, authorized by an amendment to the charter of said City duly submitted to and approved by the legal voters of said City at an election duly called and held therein on the 6th day of September, 1924, at which election a bonded indebtedness in said sum, together with interest thereon, was authorized by the legal voters of said City to be created for the purpose of providing funds to improve the north and south highway streets in said City of Bend, Oregon.

And it is further certified that every requirement of law relating to the issue hereof has been duly complied with, and that this bond is within every debt and other limit prescribed by the constitution or laws of the State of Oregon, or the charter of said City.

And for the punctual payment of the principal hereof and the interest hereon the full faith and credit of the City of Bend is hereby irrevocably pledged.

IN WITNESS WHEREOF, the City of Bend has caused this bond to be signed by the Mayor and countersigned by the Recorder under the corporate seal of said City, and the interest coupons attached to bear the engraved facsimile signatures of said Mayor and Recorder this first day of September, 1924.

_____

MAYOR

Countersigned:

Louis Bennett

RECORDER.

(COUPON)

No._____. $28.75

On the first day of March, / September, 19____

THE CITY OF BEND, DESCHUTES COUNTY, OREGON

will pay to bearer

TWENTY EIGHT 75/100 DOLLARS

in United States gold coin of the present standard of value at the Fiscal Agency of the State of Oregon in New York City, for six months' interest then due on City of Bend General Obligation Street Improvement Bond, dated September 1, 1924, No._____.

_____

MAYOR

Countersigned:

Louis Bennett

RECORDER.

SECTION 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company, of Portland, Oregon, is hereby ratified, approved and confirmed, and the proper city officials are hereby authorised, empowered and instructed to execute said bonds and to see to the delivery thereof to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary that the improvements for which the aforesaid bonds were authorized be made at as early a date as possible and before the bad weather and the streets to be improved are dangerous to the travelling public; and

WHEREAS, the issuance of the aforesaid bonds were authorized by the voters of said City at an election duly held for said purpose; now, therefore,

AN EMERGENCY is hereby declared and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 3rd day of ~~September~~ October, 1924, by the following vote:

YEAS: 6

NAYS: 0

Submitted to the Mayor ~~September~~ October 3rd, 1924.

Approved by the Mayor ~~September~~ October 3rd, 1924.

_____
MAYOR

Attest:
Louis Bennett
Recorder.

There being no further business the meeting adjourned.

_____
MAYOR

Attest:
Louis Bennett
Recorder

ORDINANCE NO 244 .

AN ORDINANCE DESCRIBING A PUBLIC THOROUGHFARE IN THE CITY OF BEND AND NAMING THE SAME FIRST STREET AND DECLARING AN EMERGENCY.

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

Section 1. That a strip of land located within the corporate limits of the City of Bend, heretofore dedicated to and acquired by the public for the purpose of a thoroughfare, the center line of which is described as follows; Begining at a point on the north line of the south-east quarter of the north-east quarter of Section 29, T. 17S., R.12E., W.M., which point is located N.89°37'06"W. a distance of 352.13 feet from the north-east corner of the said south-east quarter of the norht-east quarter of Section 29; thence S.18°20'W. for 164.85 feet; thence on a curve to the left, said curve having a radius of 2546.64 feet, for a distance of 390.40 feet to a termination in the northerly boundary of the recorded Plat of Orokla in the City of Bend, at a point located 14.70 feet N.84°25'30"W, from the north-west corner of Block 6 of the said Plat of Orokla, the said tract being 60 feet in width and located within the south-east quarter of the north-east quarter of said Section 29, be and the same is hereby designated as a public thoroughfare, the same to be hereafter known as, and referred to as a part of "First Street".

Section 2. That inasmuch as it is necessary that said tract be designated as a public thoroughfare and properly named before the same may be included in an improvement district proceedings now pending, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the city council and approval by the Mayor.

Approved this 16th day of October, 1924.

R H Fox
Mayor

Attest:

Louis Bennett City Recorder.

Ord. #244

No. D447

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 9th day of July A. D. 1926 at 8 o'clock A M., and Recorded in Book 42 on Pages 98 Record of Deeds

J. W. Lauer
County Clerk.

By _____ Deputy

Ordinance # 245

AN ORDINANCE DEFINING THE TERM "ROOMING HOUSE", PRESCRIBING THE QUALIFICATIONS OF PERSONS OPERATING ROOMING HOUSES, PROVIDING FOR THE LICENSING OF ROOMING HOUSES, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

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

Section 1. The term "rooming house" as used in this ordinance shall include all hotels, rooming and lodging houses where rooms are equipped for sleeping purposes, and are rented for periods of less than thirty days.

Sec. 2. Any person, firm or corporation, before operating a rooming house as herein defined, within the City of Bend, shall make application to the Common Council of said City and obtain a license therefor. Said application shall be referred to the Police, Fire and License Committee of the Common Council, who shall examine into the character and qualifications of the applicant and promptly report to the Council its recommendation on said application.

No license shall be issued under this ordinance to any person unless such person is of proved good moral character, and can speak, read and write the English language, and when said application is made the applicant shall appear in person before the Common Council or said License Committee. When application for license is made by or on behalf of a partnership, corporation or association, such application shall be made by the manager, officer, agent or other person who will have the personal charge and management of said rooming house during the term of the license sought. Whenever said person shall cease to exercise such charge during the term of said license, the same shall thereupon terminate.

Sec. 3. No license issued under this ordinance is assignable, and whenever there is a change in ownership or management of the rooming house covered thereby, the licensee shall promptly notify the chairman of said License Committee thereof, and a failure to do so shall constitute a violation of this ordinance

and the Council may without notice cancel such license. No license issued hereunder in the hands of a transferee or assignee shall be a defense to a charge of operating a rooming house without a license.

Sec. 4. No person to whom a license is issued under this ordinance shall violate any law of the State of Oregon or any ordinance of the City of Bend, or permit such violation within the premises covered by said license, under penalty of a cancellation of said license.

Sec. 5. Every person to whom a license is issued under this ordinance shall at all times keep a standard hotel register, in which shall be inscribed the names of all persons renting or occupying rooms in such house, which register shall be signed by the person renting a room or rooms, or by some one under his or her direction, and after such signature the manager of said house or his agent shall write the number of the room or rooms which such guest shall occupy, together with the day ~~and hour~~ when such room or rooms were rented, all of which shall be done before such person is permitted to occupy such room or rooms. Said register shall at all times be open to inspection by any guest of the house wherein such register is kept, and to any peace officer of the State of Oregon or of the City of Bend, and the front entrance of said rooming house shall always be unlocked and unobstructed.

It shall be unlawful for any person to write or cause to be written in any rooming house register any other or different name than his or her true name or the name by which such person is generally known. Every licensee under this ordinance shall cause each sleeping room and apartment in the rooming house operated under such license to be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such room, and no two such doors shall have the same

number.

Sec. 6. After the allowance of an application for license by the Common Council, the City Recorder shall issue a license to the applicant. The license fee shall be $5.00 per year, and all licenses shall expire December 31st of each year.

Sec. 7. When a license shall have issued to any partnership, corporation or association, to operate a rooming house, any person having the charge, management or control thereof shall be liable to prosecution for any violation of this ordinance. For the purpose of determining the liability to prosecution of any person for the violation of any of the provisions of this ordinance, it shall be sufficient to show that such person was at the time of the violation complained of the person in actual management or control of the rooming house in which such act was alleged to have been committed, and any license issued under the provisions of this ordinance may be revoked for the violation of any of the provisions thereof. Before such revocation, the licensee shall be notified and given an opportunity to be heard before the Common Council.

Sec. 9. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding $500.00, or by imprisonment in the City jail not exceeding six months, or by both such fine and imprisonment.

Sec. 10. Inasmuch as it is necessary for the preservation of law and order in the City of Bend that this ordinance become effective as soon as possible, 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.

Approved this 19 day of December 1925.

Attest:

Louis Bennett
City Recorder

R H Fox.
Mayor

Read 1st time Dec. 19, 1924
Rules suspended & read 2nd time Dec. 19, 1924 & Passed.

ORDINANCE NO 246

AN ORDINANCE providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $50,080.00, providing and approving the form of the bonds to be issued and the coupons attached thereto; approving, ratifying and confirming the sale of said bonds, and declaring an emergency.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 71-72-73-74-75-76-77-78 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $ 50,080.00, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in installments, and each and all of which applications did state the the said applicant and property owner does therdy waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $ 50,080.00, in all equal to the total amount of

the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date Dec. 15, 1924, to be numbered 331 to 441 inclusive, all for $500.00 each, except bond No. 331 for $80.00 said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Improvement Bond, Series 1924."

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No. 331 shall be in the principal the sum of $80.00 and the coupons thereto attached in the sum of $2.40 to-wit:

No_____. $500.00.

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND
Series 19___

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the 15th day of December 19___, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the fifteenth days of June and December of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have

been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 15th day of December, 1924.

R. H. Fox
Mayor

Countersigned:
Louis Bennett
Recorder.

(COUPON)

No._____. $15.00

CITY OF BEND, STATE OF OREGON,

will pay to bearer on the _____day of 19____,
in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six month's interest on Improvement Bond, Series 19____ No._____unless said bond is sooner redeemend, as therein provided, which redemption will render this coupon void.

Countersigned:
Louis Bennett
Recorder.

R. H. Box,
Mayor

SECTION 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 22nd day of December 1924, by the following vote:

YEAS: 4

NAYS: 0

Submitted to the Mayor 22nd day December, 1924

Approved by the Mayor 22nd day of December, 1924

Attest:

Louis Bennett
Recorder

R H Fox.
Mayor

ORDINANCE NUMBER 247

AN ORDINANCE FIXING THE SALARY OF THE CHIEF OF POLICE, PATROLMEN, CHIEF OF THE FIRE DEPARTMENT, FIRE ENGINEERS, CITY PHYSICIAN, CITY ATTORNEY, CITY TREASURER, CITY RECORDER, SUPERINTENDANT OF WOMAN'S PROTECTIVE DIVISION AND THE COMPENSATION OF THE CITY ENGINEER: REPEALING ORDINANCES NUMBERED 162, 171, 195 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OF THE CITY OF BEND IN CONFLICT HEREWITH.

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

Section 1. That from and after January 1st, 1925 the salary of each of the following named officers of the City of Bend shall be as herein after provided, to-wit;

CHIEF OF POLICE, $175.00 per month: PATROLMEN, each, $150.00 per month: CHIEF OF THE FIRE DEPARTMENT, $175.00 per month: FIRE ENGINEERS, each, $150.00 per month: CITY PHYSICIAN, $100.00 per month: CITY ATTORNEY, $83.33 per month, as full compensation for all services except appearances before the Supreme Court and Departments of the State of Oregon: CITY TREASURER, $125.00 per month: CITY RECORDER, $175.00 per month: SUPERINTENDANT OF WOMAN'S PROTECTIVE DIVISION, $125.00 per month: CITY ENGINEER, $1.50 per hour for all time actually expended on work for the City.

To be repealed

Section 2. Ordinances numbered 162, 171, 195 and all other ordinances or parts of ordinances of the City of Bend, in conflict herewith are hereby repealed.

ATTEST: Louis Bennett
City Recorder

Approved this 23 day of January, 1925.

R H Fox
Mayor.

Read 1st time Jan. 2nd 1925.
Read 2nd time Jan. 23. 1925 & Passed.

C. S. BENSON
LAWYER
BEND, OREGON

ORDINANCE NUMBER 248

AN ORDINANCE REGULATING SEWER CONNECTIONS WITH REAL ESTATE WHICH HAS NOT BEEN SPECIALLY ASSESSED FOR THE CONSTRUCTION OF SUCH SEWER AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

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

Section 1. Any person, for himself or as the agent or officer of another, proposing to connect, directly or indirectly, any tract of real estate with an existing sewer in the City of Bend, shall first make application for permission to do so to the City Engineer of said City; if it appears that said tract has not been specially assessed to pay its proportionateshare of the cost of said sewer or of some sewer within said City, the person proposing to make such connection, before doing so, shall pay to the City of Bend the sum of $100.00 which sum without interest shall be repaid to the owner of said tract of land when ever the same shall be specially assessed for the construction of a sewer.

Section 2. If, in the judgment of the City Engineer, a proposed connection with a tract of land not specially assessed to construct an existing sewer, will impair the present or future efficiency of said sewer, he shall refuse to allow said connection and the same shall not be made.

Section 3. Any person violating any of the provisions of this ordinance shall, upon conviction thereof be subject to a fine of not less than $100.00 or to imprisonment in the City jail for not ~~less~~ more than 30 days or to both such fine and imprisonment.

Passed by the Common Council this 20 day of February, 1925.

Approved by the Mayor this 20 day of February, 1925.

ATTEST: Louis Bennett
City Recorder.

R H Fox.
Mayor.

Read first time Feb. 6, 1925.
" 2nd time Feb 20 1925 + Passed.

MITCHELL PUB. CO., MITCHELL, S. DAK.

249

ORDINANCE NUMBERED 249

AN ORDINANCE AMENDING ORDINANCE NUMBER 167 OF THE CITY OF BEND, ENTITLED:AN ORDINANCE DEFINING DISORDERLY CONDUCT AND PROVIDING FOR THE PUNISHMENT THEREOF,REPEALING ORDINANCE NUMBER 37 OF THE CITY OF BEND AND DECLARING AN EMERGENCY,REPEALING ORDINANCES NUMBERED 119 AND 168 of SAID CITY AND DECLARING AN EMERGENCY.

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

Section 1. That ordinance numbered 167 of the City of Bend be and the same is hereby amended by adding thereto a section numbered 22½ in words and figures following;

Section 22½. It shall be unlawful for the owner or possessor of any premises within the City of Bend or his agent to deposit or permit or suffer to be deposited thereon,any ashes,waste paper,manure except for fertilizer,glass,broken ware,straw,rubbish,garbage,waste paper,dish water or water that has been used for any cleaning or sanitary purpose whatsoever,or other filth . The term "agent",as used herein,is hereby defined to include any person who,with respect to said premises,represents the non-resident owner thereof as to the rental,collection of rent or general control of said premises.

Section 2. Ordinances numbered 119 and 168 of the City of Bend are hereby repealed.

Section 3. In as much as it is necessary for the preservation of the public peace and health that this ordinance become effective at as early a date as possible,an emergency is hereby declared and this ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed March 20 ,1925. Approved March 20 ,1925.

ATTEST: Louis Bennett
City Recorder.

R H Fox
Mayor.

Read 1st time mar. 20, 1925
Read 2nd time mar 20, 1925 Passed

ORDINANCE NO. 250.

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $35,025.19; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS ATTACHED THERETO; APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 71, 72, 73, 74, 75, 76, 77, 78 and 79, in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $35,025.19, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provisbn that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book ket for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose, under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

SECTION 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $35,025.19, in all equal to the total amount of the unpaid

assessments for such improvements and for which applicati ons to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date April 1st, 1925, to be numbered 442 to 518, inclusive, all for $500.00 each except bond No.442 for $25.19, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in the City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Improvement Bond, Series 1925."

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substanti ally the following form, except that bond No.442 shall be in the principal the sum of $25.19, and the coupons thereto attached in the sum of $_____ to-wit:

No._____ $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND

Series 1925.

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the _____day of _____19___, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold goin on the 1st day of October and April of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregnn in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of the City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the fact amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 15th day of April, 1925.

R. H. Fox
Mayor

Countersigned
Louis Bennett
Recorder.

AGAWAM BOND

(COUPON)

No._____ $15.00

CITY OF BEND, STATE OF OREGON

will pay to bearer on the _____day of _____,19____, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six month's interest on Improvement Bond Series 1925, No.____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

R. H. Fox,
Mayor

Countersigned:
Louis Bennett
Recorder.

SECTION 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

SECTION 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, and emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 3rd day of April, 1925, by the following vote:

YEAS: 4

NAYS: 0

Submitted to the Mayor April 4th, 1925.

Approved by the Mayor April 4th, 1925

R H Fox.
Mayor

Attest:

Louis Bennett
Recorder.

Read first time May 4-1925
" 2nd " " " " Passed

Ordinance #251.

AN ORDINANCE VACATING A PORTION OF ROANOKE AVENUE IN THE CITY OF BEND, DESCHUTES COUNTY, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS, the owners of all lots and parcels of land adjoining the hereinafter described protion of Roanoke Avenue, by petition, duly filed in the office of the Recorder of the City of Bend, Oregon, on the 27th day of February, 1925, prayed for the vacation of the hereinafter described portion of Roanoke Avenue in the recorded plat of Kenwood; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three public places within the City of Bend on the 27th day of February, 1925, and more than thirty (30) days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of Robert B. Gould on file herein; and

WHEREAS, it appears that said petitioners are the owners of all real estate immediately adjoining said street; and

WHEREAS, upon the hearing of said petition by the Common Council of said City, no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted.

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

Section 1. That the plat of Kenwood as filed and of record in the office of the County Clerk of Deschutes County, Oregon, be, and the same is hereby vacated as to the following described portions of Roanoke Avenue, to-wit:

A strip of land ten (10) feet in width, being the Northerly ten (10) feet of Roanoke Avenue lying Westerly from the West line of West Fifth Street, and lying Easterly from the East line of West Sixth Street in the recorded plat of Kenwood, in the City of Bend; said strip of land being contiguous to the South boundary of Block Twenty-four (24) of the said plat of Kenwood.

Also a strip of land ten (10) feet in width, being the Southerly ten (10) feet of Roanoke Avenue

lying Westerly from the West line of West Fifth Street, and lying Easterly from the East line of West Sixth Street in the recorded plat of Kenwood, in the City of Bend; said strip of land being contiguous to the North boundary of Block Fifteen (15) of the said plat of Kenwood.

Section II. Inasmuch as certain property owners having land abutting said Roanoke Avenue have pending certain improvements to be made to said Roanoke Avenue which should be carried forward without delay, 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.

Approved by the Mayor this 5th day of May, 1925.

R H Fox
Mayor

Louis Bennett
Recorder.

City of Bend
Vacation Ordinance
for
part of Roanoke Avenue

No. 2635

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 3rd day of Aug, A. D. 1925 at 3:30 o'clock P M., and Recorded in Book 40 on Pages 14 Record of Deeds

J. H. Hamer
County Clerk.

By Gwen Dunn Deputy

Deschutes County Abstract Co.
Chg City Bend, Oregon

Read first time July 6 - 25.
Read second time July 6 - 25 & passed

ORDINANCE NO. 252

AN ORDINANCE VACATING A PORTION OF THE PLAT OF SECOND ADDITION TO BEND PARK, IN THE CITY OF BEND, HERE IN AFTER MORE PARTICULARLY DESCRIBED AND DECLARING AN EMERGENCY.

WHEREAS, Deschutes Park Realty Company, by petition duly filed in the office of the Recorder of the City of Bend, on the 28th day of May, 1925, prayed for the vacation of all that portion of the plat of Second Addition to Bend Park in the City of Bend, Oregon, lying easterly from the east line of South Second Street, lying westerly from the west line of South Fourth Street, lying southerly from the south line of Taft Avenue and lying northerly from the north line of Cleveland Avenue, including all streets, alleys, blocks, lots and park, within said area, EXCEPTING that portion of South Third Street eighty feet in width, located south of the south line of Taft Avenue and North from the center line of Roosevelts Avenue; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three public places within said City on the 28th day of May, 1925 and more than thirty days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of Robert B. Gould on file herein; and

WHEREAS, it appears that said Deschutes Park Realty Company is the owner of all the real estate immediately adjoining said portion of Second Addition to Bend Park; and

WHEREAS, upon the hearing of said petition by the Common Council of said City, no objection was interposed to the granting of the prayer thereof and no reason appears why the same should not be granted; therefore;

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

Section 1. That all that portion of the Plat of Second Addition to Bend Park in the City of Bend, Oregon, lying easterly from the east line of South Second Street, lying westerly from the west line of South Fourth Street, lying southerly from the south line of Taft Avenue and lying northerly from the north line of Cleveland Avenue, including all streets, alleys, blocks, lots and park, within said area, excepting that portion

of South Third street eighty feet in width, located south from the south line of Taft Avenue and North from the centerline of Roosevelt Avenue, be and the same is hereby vacated.

Section 2. In as much as immediately necessary permanent improvement of certain thorough fares within the City of Bend can not be made until the vacation herein described, is had, 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.

Passed by the Common Council, July 6, 1925.

ATTEST: Louis Bennett
City Recorder.

Approved by the Mayor, July 7th, 1925

P H Fox
Mayor.

No. 02438

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 16th day of July A. D. 1925 at 11:45 o'clock P M., and Recorded in Book 39 on Pages 601 Record of Deeds

J. W. Hamer
County Clerk.

By _____ Deputy

Read 1st time May 8, 1925
Read 2nd time July 6, 1925 & Passed.

ORDINANCE NO. 253

AN ORDINANCE REGULATING THE INSTALLATION, ALTERATION, REPAIR AND MAINTENANCE OF PLUMBING AND DRAINAGE SYSTEMS IN THE CITY OF BEND, PROVIDING FOR THE APPOINTMENT OF A BUILDING INSPECTOR, PRESCRIBING HIS DUTIES, PROVIDING FOR AN APPEAL FROM HIS DECISIONS, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, (AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.)

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

Chapter
PART 1.
ADMINISTRATIVE

NAME-

Section 1. This Ordinance shall be known as the "Plumbing Code", and wherever the words "the code" or "this code"appear herein, they shall be considered as referring to this Ordinance. All plumbing shall conform to requirements of this code.

Section 2. No part of any plumbing or drainage system shall be installed, constructed, altered or repaired in any building or on any premises in the City of Bend, except it be in conformity with the provisions of this code, and every such system shall be maintained in a sanitary condition.

PERMIT REQUIRED-

Section 3. No work upon the installation, construction, alteration or repair of any plumbing or drainage system in any building or on any premises, unless a permit therefor be first obtained from the City Recorder. In the meaning of this section, the word"repair" shall not apply to ordinary repairs to water pipes, faucets, hot water tanks and water backs, , or to the removal of obstructions in fixtures or piping which are generally known and considered as maintenance work. It is intended that replacements of fixtures when no new fixtures are put into the system shall not be considered as repair.

PLUMBING IN BUILDINGS MOVED OR ALTERED-

Section 4. Every building which is moved or materially altered shall have its plumbing and drainage system changed to conform to the requirements of this code. It is intended that this provision shall apply only to work not in a sanitary condition. New work done in connection with the existing system shall conform to the code and pass the test prescribed in Section 12.hereof. If black iron piping in good condition, located in a partition and running directly to the waste pipe, exists as a vent pipe in a building about to have its plumbing altered, such piping may remain, provided there be no horizontal run in the pipe.

APPLICATION FOR PERMIT-

Section 5. Application for permit shall be made to the City Recorder upon a form furnished by him. The Recorder shall thereupon refer said application to the Building Inspector for his recommendation thereon. If the Building Inspector approve the application, the Recorder shall issue a permit to the applicant upon the payment of the fees herein prescribed. The name of the

plumber or the persons proposing to engage in cesspool or septic tank construction, and who shall actually perform the work, shall be given in the application. In case the Building Inspector refuses to approve an application for a permit, the applicant shall have the right of appeal as hereinafter provided.

INFORMATION REQUIRED FOR PERMIT-

Section 6. Either in his application or in his filed plans and specifications, the applicant shall furnish precise information as to the number, kind and location of fixtures, drain pipes, vents, branches, cesspools, septic tanks and other features of construction, so that the extent and character of the work may be definitely known.

FEES FOR PERMITS-

Section 7. Before a permit shall issue, fees in the amounts herein fixed shall be paid by the applicant.

For each fixture opening ready to receive a fixture, whether installed or not -- - - - - - - - -	$ .50
For the construction of each cesspool or septic tank - - - - - - - - - - - - - - - - - - -	~~5.00~~ .50
Minimum charge for any permit - - - - - - - - - -	1.00

If alterations to the plumbing of any existing building be proposed, the permit fee shall be based upon the number of fixtures affected or replaced. No fee shall be exacted as a condition of performing maintenance work.

If any work on the construction, alteration or repair of a plumbing system be commenced without a permit having first been issued therefor as herein required, double the fees fixed by this section shall be exacted when a permit is finally issued for doing the work, which payment shall in no way relieve the said person from the payment of the penalties imposed for the violation of this code. (See Section 3 for maintenance.)

LIFE OF PERMIT LIMITED-

Section 8. If work under a permit be not commenced for six (6) months after its issuance, or if, after partial completion, the work be discontinued for a period of one (1) year, the permit shall thereupon become void, and no work shall be done in the involved premises until a new permit be issued therefor.

CARD TO BE POSTED-

Section 9. After issuance of the permit, the City Recorder shall deliver to the applicant a card setting forth the number of the permit, the name of the applicant and the location, extent and character of the work authorized under the permit. Said card shall be kept posted in a conspicuous place at the site of the work, and shall not be removed until all the work under the permit shall have been completed.

BUILDING INSPECTOR SHALL HAVE RIGHT OF ENTRY-

Section 10. Within reasonable hours, the Building Inspector and his duly appointed deputy shall have the right of entry to any building or premises for the purpose of inspecting the condition of its plumbing or drainage system, upon exhibiting his official badge or other evidence of authority. Refusal to permit, or interference with such inspection, shall be a violation of this code.

ENFORCEMENT OF THIS CODE-

Section 11. The Building Inspector shall enforce the provisions of this code.

ROUGHED IN WORK TO BE TESTED-

Section 12. When the roughed-in work in any building shall have been completed, all openings below the roof shall be plugged and the system tested. If the building have a height of not more than three (3) stories, the pipes shall be filled with water to the roof line and tested as a whole, but if the building be of greater height than three (3) stories, the system may be tested in sections. If unfavorable weather, insufficient water supply, or other valid reason make the water test impractical, the roughed-in work shall be tested under an air pressure of not less than ten (10) pounds per square inch, or with the smoke or peppermint test. All plugs used in the system shall remain tight throughout the test. The use of unturned wooden plugs in such test is expressly forbidden. The test shall be applied to all soil, waste and vent pipes, brass ferrules, solder nipples and to all house drains, for a distance of at least five (5) feet beyond the walls of the building.

INSPECTION OF ROUGHED-IN WORK-

Section 13. When the roughed-in work shall have been tested to satisfaction, written notice shall be sent to the Building Inspector stating that the work is ready for official inspection, and within one (1) working day from the date of receiving such notice the system shall be again tested to the satisfaction of the Building Inspector. No work shall be regarded as ready for official inspection until all pipes shall have been fastened in place as required under Section .of this code.

PLUMBING NOT TO BE COVERED-

Section 14. It shall be unlawful for any person to conceal any part of the plumbing system of any building or premises until such system shall have been inspected and passed.

CERTIFICATE OF ROUGHED-IN WORK-

Section 15. If the roughed-in work shall have been found to conform to this code, a notice of approval shall be posted on the premises by the Building Inspector and a certificate to that effect shall be delivered to the Permitee.

REVOCATION OF PERMIT-

Section 16. If upon inspection it be found that the workmanship or materials employed do not in all respects conform to the statements given in the application or in the plans and specifications or do not comply with the provisions of this code, the Building Inspector shall in writing notify the permitee that all additional work under the permit shall be suspended until permission to deviate from the specific terms of the permit be obtained, or until the work already installed by made to comply fully with the terms of the permit.

If the permitee fail to comply with such notice immediately upon its service, the Building inspector shall forthwith cancel the permit, informing the permitee in writing of the action and posting at the site of the work a notice announcing such revocation. Thereafter it shall be unlawful for any person to perform any plumbing work upon such premises without first securing a new permit.

CERTIFICATE OF FINAL INSPECTION-

Section 17. Upon completion of the work covered by the permit, notice in writing thereof shall be sent to the Building Inspector, and within one (1) working day from receipt of such notice, a final inspection shall be made by him. If it be found that the work comply in all respects with the requirements of the code, a certificate in writing to that effect shall be issued by the Building Inspector. No plumbing system shall be placed in service until formal approval, evidenced by the certificate of final inspection, shall have been issued.

BUILDING INSPECTOR-

Section 18. There is hereby created the office of Building Inspector. Upon the passage and approval of this ordinance, the Mayor, with the approval of a majority of all the Councilmen, shall appoint a competent person to fill the position of Building Inspector, who shall hold office until removed by the Mayor with the consent of a majority of all the Councilmen, or until his successor is elected, as above provided, and qualified. The Building Inspector shall receive such compensation as shall be fixed by the Common Council.

BOARD OF APPEAL--CREATION OF-

Section 19. There shall be and is hereby created and established a Board of Appeal consisting of three (3) members appointed by the Mayor, at least two (2) of whom shall have knowledge of plumbing installations. At the organization of said Board, one member shall be appointed for the term of one (1) year, one for the term of two (2) years, and one for the term of three (3) years. After the expiration of the term of office of the members first appointed, appointments shall be made for a term of three (3) years. No member shall sit in a case in which he is directly or indirectly interested. All vacancies occurring on the Board of Appeals for whatever cause shall be filled by the Mayor either permanently or temporarily as the case may demand. Any member of the Board of Appeals may be removed by the Mayor for malfeasance in office, incapacity or neglect of duty.

BOARD OF APPEALS--POWER OF AND APPEALS TO-

Section 20. Any applicant for a plumbing permit, whose application shall have been rejected by the Building Inspector, or any person who shall have been ordered by said Building Inspector to incur an expense in the alteration, repair or construction of a plumbing installation, may, within fifteen (15) days thereafter, appeal from such action by serving upon the Building Inspector notice in writing of such appeal, and such notice or a certified copy thereof shall at once be transmitted to the Board of Appeal. After notice to such parties as the Board may direct, a hearing shall be had and the Board may, by a majority vote, affirm, annul or modify said action of the Building Inspector. The decision of the Board thereupon shall be in full force and effect.

Materials and methods equivalent to those required by the provisions of this code may be admitted to use upon the written approval of the Building Inspector. A record of the required equivalent materials and methods allowed shall be kept in the office of the Building Inspector. Any requirements deemed necessary to abate unsanitary conditions, in connection with any plumbing installation, not specifically covered by this code, shall be subject to review by the Board of Appeals.

FEES FOR APPEALS-

Section 21. Any person appealing from the decision of the Building Inspector shall attach to the written appeal a certified check in the amount of Ten ($10.00) Dollars in favor of the City Treasury. If such appeal is not sustained, the check shall be deposited with the City Treasurer as a fee; otherwise, the check shall be returned to the appellant.

Penalties-

Section 22. Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists or opposes the execution of, any of the provisions of this code, or who maintains in service any plumbing or drainage installed, constructed, altered or repaired in violation of this code, shall be punishable by a fine not to exceed five hundred ($500.00) dollars, or by imprisonment for a period not longer than six (6) months or by both such fine and imprisonment. For each day that such violation, disobedience, neglect or refusal shall continue, every such person shall be deemed guilty of a separate offense, and every part of such plumbing or drainage system as may exist in violation of this code shall be considered as condemned and shall be torn out at the expense of the person guilty of the violation.

Chapter PART 2
Definitions

APPLICATION OF DEFINITIONS-

Section 23. In the meaning of this code the following definitions of words and terms shall govern:-

Branch-

Section 24. A "Branch" is that part of a system of piping which extends from the main at a slight inclination with the horizontal (either with or without lateral extensions or vertical arms) and to which fixture outlets not directly connected with the main are attached.

Catch Basin-

Section 25. A "Catch Basin" is a water-tight receptacle in a surface, sub-soil or other drainage system designed to prevent the passage, to a sewer or main drain, of suspended solids.

CONDUCTOR or ROOF LEADER-

Section 26. A "Conductor or Roof Leader" is a conveyer of rain water from the roof of a building. The term "down spout" shall apply to the vertical portion of such conveyer.

DRAIN-

Section 27. (a) House Drain. (See under Sewers)
(b) Main Drain. (See under Sewers)
(c) Terra Cotta Sewer or Drain. A Terra Cotta Sewer or drain is any sewer or drain constructed of vitrified earthenware or cement pipe with hub and spigot ends.
(d) Tile Drain. A tile drain is any sub-soil drain constructed of earthenware or cement pipe without hub and spigot ends.

Existing-

Section 28. Whenever the word "Existing" is used in connection with the words "buildings", "House drainage", "house plumbing", etc., it shall apply to any construction in operation prior to the passage of this code.

STANDARD and EXTRA HEAVY-

Section 29. Except as specifically covered herein, the terms "Standard" and "Extra Heavy" when used in connection with any materials or appliances shall have the meaning generally accepted in the plumbing trade.

Fixture-

Section 30. When used in a general sense, the term "fixture" shall apply to any sort of device for the reception of house sewage or

of waste diluted with water. A "small fixture" shall be any fixture other than a water closet.

Length-

Section 31. The term "length" shall apply to the developed length along the center line.

Main-

Section 32. The "Main" of any system of horizontal, vertical or continuous piping is that part of such system receiving the discharge or back vents from fixture outlets either directly or through branch pipes.

Owner-

Section 33. The term "Owner" shall mean the person in whose name record title exists.

Person-

Section 34. The term "Person" shall apply to any natural person, association, corporation or firm, acting either directly or through a duly authorized agent.

Pipe-

Section 35. (A) Soil Pipe. A "Soil Pipe"is any pipe conveying the discharge of water closets with or without other fixtures to the house drain.

(B) Vent Pipe. A "Vent Pipe" is any pipe designed to ventilate a drainage or plumbing system and to prevent trap siphonage and back pressure within the system.

(C) Waste Pipe. A "Waste Pipe" is any pipe conveying the discharge of fixtures other than water closets to the house drain or soil pipe.

SEAL OF A TRAP-

Section 36. The "depth of seal of a trap" is the vertical distance between the point of overflow and the inside top of the dip between the arms of the trap.

SEWERS. Section 37. (A) The word "Sewer" is a general term descriptive of a system of horizontal piping used to convey sewage or waste water from any building or premises to a public or private sewer, cesspool or septic tank.

(B) House Drain. A "House Drain" is that part of the horizontal piping of a house drainage system which receives the discharge of soil, waste and other drainage pipes inside the walls of any building and conveys the same to a connection with the house sewer or main drain at a point five (5) feet on the outside of the established building line.

(C) Private Sewer. A "Private Sewer" is a main or branch sewer (not constructed or accepted by the City) located either on public or private property which conveys the waste water of one or more premises to an outlet into a public sewer, or to an approved disposal plant.

SIZE of PIPE-

Section 38. The given calibre or diameter of a pipe is its inside standare diameter.

Spacing-

Section 39. The "Spacing" of lines of pipe is the distance, taken at right angles, between the centers of the lines in question. The spacing of fixtures from pipes is the developed length of the branch

or waste line measured between the center of the pipe to which connection is made and the center of seal of the fixture trap.

STACK-

Section 40. The word "Stack" is a general term descriptive of any vertical line of house drainage piping, inclusive of the main and its branches.

Standard-

Section 41. Except where specifically covered in this code, the term "standard", when used in connection with any material or device, shall have the meaning generally accepted in the plumbing trade.

TERRA COTTA to INCLUDE CEMENT-

Section 42. Whenever the words "terra cotta" are used herein, they will be held to include the words "and cement".

TRAP-

Section 43. A "trap" is a fitting so constructed as to prevent passage of air or gas through a pipe without materially affecting the flow of waste waters in the system. The "size of a trap" shall be that of its outlet. (For seal of trap see Section)

UNSANITARY-

Section 44. The conditions to which the word "unsanitary" shall apply shall be the following:

(A) Any fixture whose trap does not maintain a proper seal.
(B) Any fixture insufficiently supplied with water to flush it and to maintain it in a clean condition.
(C) Any imperfect fixture, pipe or trap.

The foregoing enumerations of conditions to which the term "unsanitary" shall apply, shall not preclude the application of that term to conditions that are in fact unsanitary.

VENT-

Section 45. Vents in general. (A) "Vent pipe" is any pipe designed to ventilate a plumbing or drainage system and to prevent siphonage and back pressure.

(B) Soil or waste vent. A "soil or waste vent" is that part of the main soil or waste pipe above the highest installed fixture or branch connection and extending through the roof.

(C) Yoke Vent. A "yoke Vent" is a continuous vent where the branch or branches of soil or waste pipes on any floor, having no other fixtures or branches installed above them, loop over above the fixtures and reconnect with the main vent or with separate vent lines.

Wrought Iron-

Section 46. Wherever the words "wrought iron" are used, they shall be held to include "and steel".

Chapter PART 3
QUALITY OF MATERIALS

BRASS CALKING FERRULES-

Section 47. Brass calking ferrules shall be made of the best quality of cast brass with a minimum length of four (4) inches and a minimum diameter of two and one-quarter ($2\frac{1}{4}$) inches.

CLEAN-OUT PLUGS-

Section 48. Clean-outs shall have iron body with brass plug, or brass and cast iron plugs of iron pipe size.

BRASS SOLDER NIPPLES- SWEAT BUSHINGS

Section 49. Brass solder nipples shall be made of heavy cast

brass in iron pipe size.

All sweat bushings shall be of the shoulder type with a standard iron pipe size thread.

BRASS CLOSET FLANGES--SLOP SINK FLANGES-

Section 50. All brass flanges used for water closets or slop sinks shall be of standard weight or heavier. All water closets and slop sinks shall have brass flanges screwed to the floor, or cast iron flanges calked to pipe. (See Section —)

CAST IRON PIPE-

Section 51. All cast iron pipe shall be true to line and bore of uniform thickness and free from all blow holes, cracks or other construction defects. The letters X. H. or Std. shall be cast on each length of pipe to designate the weight as Extra Heavy or Standard, respectively. The weights of each length of single or double hub cast iron piple shall not be less than that specified in the following table:-

Inches	Standard Pipe. Pounds	Extra Heavy Pipe. Pounds
2	17½	27½
3	22½	47½
4	32½	65
5	42½	85
6	52½	100

Cast Iron Fittings-

Section 52. All fittings for cast iron pipe shall be of the quality specified in section 52 for cast iron pipe and every fitting shall bear the letters X.H. or Std. to indicate the type of fitting in the same manner as specified for cast iron soil pipe in Section 51.

Cast Iron Water Closet or Slop Sink Flanges-

Section 53. Cast Iron water closet or slop sink flanges shall be made of solid malleable cast iron in thickness of not less than three sixteenths (3/16) of one (1) inch.

Wrought Iron Pipe-

Section 54. Wrought iron pipe shall be of the quality known as "Best quality galvanized pipe".

FITTINGS FOR WROUGHT IRON PIPE-

Section 55. Fittings for wrought iron pipe shall be of best quality cast iron or of best quality galvanized malleable iron.

LEAD PIPES-

Section 56. All lead pipes shall be of first quality drawn lead and shall have a weight not less than that specified in the following table.

Diameter Inches	Weight Pounds per foot.
1¼	2½
1½	3½
2	4
3	4-3/4
4	6

LEAD TRAPS, BENDS and FERRULES-

Section 57. All lead traps and bends shall be made from lead pipe conforming in all respects to the requirements of Section 56. No combination lead and cast iron ferrules shall be used.

TERRA COTTA PIPE-

Section 58. Terra cotta pipe shall be vitrified salt glazed pipe with hub and spiggot ends, shall be strong, true to line and bore and free from defects.

PART 4
JOINTS and INSTALLATION of PIPES and FITTINGS

JOINTS on the HOUSE SIDE of a TRAP-

Section 59. The connections between pipe and fittings and between pipe and fixtures, installed on the house side of the seal of traps shall be made with rubber washers or putty or with slip, screw, wiped or calked joints, and shall be made water tight; provided, however, that the use of cement in the joints of outside rain water leaders, only, at the connections between cast iron pipe and sheet metal down spout will be permissible.

JOINTS on the SEWER SIDE of TRAPS PROHIBITED-

Section 60. Slip joints or joints in which rubber couplings, washers or putty are required, shall not be permitted on the sewer side of a trap in any plumbing installation. No paint, varnish, putty or cement, except as permitted specifically with cement joints under Sections — and — of this code, shall be used on any joint on the sewer side of a trap until such installation shall have been tested and approved. Water closet connections shall be exempted from the provisions of this section, but shall comply in all respects with the provisions of Section — .

JOINTS on the SEWER SIDE of a TRAP to be GAS and WATER TIGHT-

Section 61. The joints on the sewer side of every trap shall be so constructed and maintained as to be gas and water tight.

TERRA COTTA PIPE - JOINTS and LAYING-

Section 62. Terra cotta pipe shall have an earth crown of not less than two (2) feet, except as provided under Section , and no such pipe shall be laid up stream from iron pipe. The joints of such pipe shall be laid with a mortar composed of one (1) part of cement of an approved brand and two (2) parts of clean, sharp sand, well worked into the bells and smoothed with a bevel away from the joints. The inside of the pipe shall be carefully swabbed to prevent projections into the pipe of loose materials or of mortar.

TERRA COTTA PIPE CHANGE IN DIRECTION-

Section 63. Terra cotta pipe shall be laid with as little change in direction as may be possible, but if a change in direction is nnecessary, such change shall be made with suitable fittings or by deflections in the pipe not exceeding those specified in the following table:-

Diameter in inches	Deflections, Inches per length of ~~4~~ 2 feet
4	1½
5	2
6	2
7	2½
8	3

TERRA COTTA PIPE--FOUNDATION FOR-

Section 64. If Terra cotta pipe be installed in soft ground, there shall be constructed beneath the pipe a mattress or other form of foundation, satisfactory to the Building Inspector.

JOINTS BETWEEN CAST IRON PIPE AND TERRA COTTA PIPE-

Section 65. Every joint between cast iron pipe or fittings and terra cotta pipe on the sewer side of a trap shall be made with cement in the manner specified in Section — .

JOINTS in CAST IRON PIPE and FITTINGS-

Section 66. The joints in cast iron pipe or between cast iron pipe and fittings, shall be made with picked oakum well worked into the hubs or joints and molten lead or lead wool of good quality thoroughly calked to make the joints gas and water tight.

JOINTS BETWEEN CAST IRON and LEAD-

Section 67. The joints between cast iron pipe or fittings and lead pipe or fittings, on the sewer side of a trap, shall be made with a brass caulking ferrule, caulked into the cast iron, as provided in Section , and wiped to the lead, as provided in Section , or with a brass soldering nipple screwed to the cast iron and wiped to the lead.

JOINTS in LEAD PIPE and FITTINGS-

Section 68. The joints between lead pipe or lead pipe and fittings, on the sewer side of a trap, shall be made by a wiped soldered connection.

INSTALLATION of LEAD PIPE-

Section 69. All bends and off-sets in lead pipe shall be made so as not to reduce the diameter and in making the bends or working expecial care shall be exercised to prevent the weakening of the material.

JOINTS BETWEEN BRASS and LEAD PIPE and FITTINGS-

Section 70. The joints between brass and lead pipe and fittings, on the sewer side of a trap, shall be wiped soldered connections.

JOINTS IN BRASS PIPES or FITTINGS-

Section 71. The joints in brass pipe or fittings, on the sewer side of a trap, shall be made by a screwed or soldered connection. Screwed joints shall be made tight with white lead, red lead or other approved material and all burrs and cuttings shall be removed from such pipe.

JOINTS BETWEEN BRASS AND CAST IRON PIPE AND FITTINGS-

Section 72. The joints between brass and cast iron pipe and fittings on the sewer side of a trap, shall be made by screw joints, by caulked joints, or by brass bushings screwed into the cast iron and soldered to the brass.

JOINTS IN WROUGHT IRON PIPE AND FITTINGS-

Section 73. The joints in wrought iron pipe and fittings on the sewer side of a trap shall be made with threaded screw joints, Ground Union joints, long screw joints or caulked joints. A screwed joint or a long screw joint shall be made tight with white lead, red lead or other approved material.

INSTALLATION OF WROUGHT IRON PIPE AND FITTINGS-

Section 74. Wrought iron pipe used on soil or waste lines shall not be bent. No wrought iron pipe shall be laid in or upon the ground. Fittings for such pipe, in soil or waste lines, shall be recessed drainage fittings, with inside diameter full size of the pipe. All wrought iron pipe, used with drainage fittings, shall be screwed up to the shoulder. All wrought iron pipe used for waste or soil lines shall be reamed to full bore of the pipe.

JOINTS BETWEEN WROUGHT IRON AND LEAD.

Section 75. The joints between wrought iron and lead pipe and fitting on the sewer side of a trap, shall be made by brass solder nipples connected to the lead by wiped solder connections and to the wrought iron by screw connections.

SUPPORTS FOR PIPES:-

Section 76. The horizontal pipes in a plumbing system shall be supported either upon masonry or concrete walls, piers or floors or upon wooden floor, or if hung below wooden floors or roofs, by substantial hangers of iron, in size not less than one-quarter round ($\frac{1}{4}$ inch) or one-sixteenth (1/16) by one (1) inch flat. The spacing of horizontal supports shall not be greater than five (5) feet, except in the case of wrought iron pipe, when a spacing of ten (10) feet will be permissible. All vertical cast iron pipes shall be supported at each floor. All wrought iron pipe

shall be substantially supported. The use of pipe hooks for supports is expressly forbidden.

CHANGE IN DIRECTION OF PLUMBING PIPES.

Section 77. All cast iron, wrought iron, lead or brass pipes used in waste or soil lines shall be laid in as direct a line as practicable, but where changes in direction are necessary these shall be made with Y branches, ½ Y branches or with 1/16, 1/8, 1/6, 1/5 or 1/4 bends.

PIPES EXTENDING THROUGH ROOF TO BE FLASHED-

Section 78. Every plumbing pipe extending through a roof from inside a wall shall be flashed with lead, copper or galvanized iron and made water tight.

SIZE OF TERRA COTTA PIPE-

Section 79. The size of terra cotta sewer pipe shall be not smaller than the house drain. If a water closet be connected to the house drain and run to the main sewer, same shall be not less than six (6) inches in diameter, but in no case shall the house sewer be less than four (4) inches in diameter.

TERRA COTTA SEWERS UNDER NEW BUILDINGS-

Section 80. A terra cotta pipe sewer shall not be installed under a new building or within five (5) feet of any foundation wall.

TERRA COTTA SEWERS NEAR LOT LINES-

Section 81. A terra cotta pipe sewer shall not be installed within five (5) feet of the line between two lots, unless such sewer be designed to serve as a party sewer.

TERRA COTTA PIPE SEWERS CONNECTING TO CAST IRON SEWERS-

Section 82. No terra cotta pipe sewer shall be connected to a cast iron sewer, except with express permission of the Building Inspector, but no such connection shall be made within five (5) feet of the foundation of any building. A cast iron increaser of sufficient size to receive the barrel of the terra cotta pipe and to permit of a workmanlike connection, shall be installed.

TERRA COTTA PIPE SEWERS TO BE REMOVED-

Section 83. Upon the development of defects, any terra cotta pipe sewer which may not conform to the requirements of this code or which is located within ten (10) feet of the foundation of any building, shall be removed and shall be replaced as provided by this code for new construction.

CONNECTIONS AND FITTINGS FOR SEWERS, SOIL AND WASTE LINES AND PIPES-

Section 84. No sanitary T or off-set shall be installed in a line other than a vertical line or in a line inclined at an angle with the vertical greater than sixty-seven and one-half (67½) degrees. Heel outlet bends shall be used in a vertical position only. The use of side outlet bends (except in a vent stack above the highest fixture), of saddle hubs and of saddle bands is expressly forbidden.

SOIL PIPES-

Section 85. All soil pipes shall be of galvanized wrought iron, standard or extra heavy cast iron. With wrought iron pipe, recessed drainage fittings shall always be used.

SIZE OF SOIL PIPE.

Section 86. Every building provided with a water closet or house drain shall have at least one soil stack extending in full size through the roof and of a minimum diameter of four (4) inches. If, in the alteration of a building, it be desired to install not to exceed one additional water closet and five (5) small fixtures on a second stack, the diameter of this second stack may be three (3) inches, provided that the water closet connec-

tion thereto shall have a syphon jet bowl. No reduction in the diameter of a soil pipe shall be allowed at any point in its length, except as specifically permitted under Section ——.

Except as expressly exempted under this section, the diameter of every soil pipe and of every branch and connection thereto, shall be not less than that specified in the following table:

Diameter	Number of Water Closets Served
4"	Not exceeding 12
5"	13 to 25
6"	25 to 60

No increase in diameter of any soil pipe will be required if small fixtures be attached thereto.

BRANCHES FOR SOIL AND DRAIN PIPES-

Section 87. Any soil or drain pipe may be branched, provided the combined areas of such branches as are required to extend in full size through the roof equal or exceed the area of the main pipe and one of the branches is not less than four (4) inches in diameter, as specified in Section ——. A branch which serves fixtures on not more than two floors (including in floors any cellar or basement) and does not exceed twenty (20) feet in vertical projections, need not extend in full size through the roof, but shall be vented as required in Section ——. In the consideration of areas of branches the following table of equivalents shall be used:

Pipe No.	Diameter Inches	Equivalent Pipe No.	Diameter Inches
2	3	1	4
2	4	1	5
2	4	1	6

WASTE PIPES-

Section 88. All waste pipes shall be constructed of cast iron, lead, brass or galvanized wrought iron. If wrought iron pipe be used, the pipe shall be reamed and all fittings, shall be recessed drainage fittings. When cast iron pipe is used the weights shall be standard or extra heavy. Standard pipe may be used in any building not over three (3) stories in height.

SIZE OF WASTE PIPE-

Section 89. No waste pipe shall be smaller than the trap it serves. If wrought iron pipe be used, the minimum diameter shall be one and one-half ($1\frac{1}{2}$) inches for a sink, and one and one-fourth ($1\frac{1}{4}$) inches for a wash basin, drinking fountain, refrigerator waste, and one and one-half ($1\frac{1}{2}$) inches for a bath tub. In every other case the diameter shall be that specified in the following table:-

Size of waste pipes for fixtures with $1\frac{1}{4}$" traps-

Number	Name of fixture	Size of waste
1 to 2	Wash basins, pantry sinks, drinking fountains, etc.	$1\frac{1}{4}$"
3 to 6	"	$1\frac{1}{2}$"
7 to 16	"	2 "
17 to 30	"	$2\frac{1}{2}$"

Size of waste pipes for fixtures with $1\frac{1}{2}$" traps

Number	Name of Fixture	Size of waste
1 to 4	Sinks, bath tubs, urinals,	$1\frac{1}{2}$"
5 to 10	Laundry tubs, etc.	2 "
11 to 15	"	$2\frac{1}{2}$"
16 to 25	"	3 "

SIZE OF WASTE PIPE (Cont'd)

Size of waste pipes for fixtures with 2" traps.

Number	Name of fixture	Size of waste
1 to 4	Slop sinks, urinals, laundry tubs	2"
5 to 16	etc.	3

WASTE LINES FOR FUTURE FIXTURES TO BE VENTED-

Section 90. If an opening be left in the waste line for future extensions to the plumbing system, an accessible opening shall be left in the vent system and such opening shall be tightly sealed with a metal plug.

KIND AND CONSTRUCTION OF VENT PIPES-

Section 91. Vent pipes shall be constructed of cast iron, lead, brass or wrought iron. The cast iron pipe shall be standard or extra heavy. T's and double hubs may be used in vent systems.

SIZE OF VENT PIPES-

Section 92. No vent pipe shall have a diameter smaller than that of the trap served, except if the trap be larger than two (2) inches, in which case a two (2) inch vent will be sufficient. No vent pipe shall be less in diameter than that specified in the following table:-

Number of fixtures served.	Diameter of vent.
Not over 2 small fixtures (wash basins, drinking fountains, etc.). Water closets not permitted.	1¼"
Not over 4 small fixtures (water closets not permitted).	1½"
Not over 8 small fixtures	2 "
Not over 16 small fixtures	2½"

VENT PIPES TO HAVE SLOPE TO DRAIN-

Section 93. All vent lines shall be installed with a continuous grade to any fixture so that the water of condensation may be discharged from the vent system.

SEPARATE VENTS NOT REQUIRED-

Section 94. If two (2) fixtures other than water closets be set back to back and the traps serving them be located not more than two (2) feet from the vent, separate back vents for the fixtures will not be required, provided that the waste line be not less in diameter than one (1) size larger than the traps served and that the vent be not less in diameter than one and one-quarter (1¼) inches. Two water closets set back to back may have one vent, in diameter not less than two (2) inches, provided that the main vent stack have a diameter not less than four (4) inches, and that the water closets be located not more than three and one-half (3½) feet from the vent, measuring from the floor line to the vent along the developed waste pipe.

COMBINATION OF BRANCH AND MAIN VENTS-

Section 95. Branch vents may be combined with the main vent, but in such cases the size of the main vent shall be that specified under Section ___. If the main vent be of the same diameter as the soil or waste line, the main vent may be connected to the soil or waste line above the highest fixture, provided that the diameter of the soil or waste line be increased to the next size larger, from the point of connection upward.

DISTANCE OF VENT FROM TRAP-

Section 96. Every vent for a trap shall be connected to the waste line by as short a connection as possible, but in no case shall such connection have a length greater than twenty-four (24) inches measuring horizontally from the trap seal.

DISTANCE OF VENT ABOVE FIXTURE-

Section 97. Wherever possible, the F branches of a vent line shall be located at a height not less than six (6) inches above the top of the fixture served.

YOKE OR CONTINUOUS VENT-

Section 98. A yoke or continuous vent may be used for a battery of water closets, if the last closet be located on a forty-five (45) degree waste line or on a vertical vent line or if the vent be connected at a point between the last two closets. The diameter of a yoke vent shall not be less than that specified in the following table:-

Water closets served Number	Diameter of vent Inches
1 to 4	3"
5 to 12	4"
13 to 20	5"

HEIGHT OF SOIL, WASTE OR VENT PIPES-

Section 99. Every soil, waste or vent pipe extending through the roof shall be carried to a height not less than one (1) foot, nor more than four (4) feet above the main roof, except in the case of a flat roof used for drying clothes or similar purpose when a line shall be carried to a height not less than seven (7) feet above the roof. If a soil, waste or vent pipe be located within twelve (12) feet (measuring horizontally) of any window, air shaft or other opening, such pipe shall be extended at least two (2) feet above the window or other openings or moved to a point more than twelve (12) feet away, even though such pipe may have been installed prior to the passage of this code. The use of a cowel ventilator or return bend upon a vent pipe is expressly forbidden.

CONSTRUCTION OF TRAPS-

Section 100. Every trap shall be of vitrified porcelain, vitrified earthenware, cast iron, brass or drawn lead, and shall be back vented to prevent syphonage, No trap having a hand hold cover fastened in place by lugs or bolts, shall be used.

SIZE OF TRAP-

Section 101. The diameter of a trap shall be not less than that specified in the following table:-

Type of fixtures	Diameter Inches
Wash basin, pantry sink, drinking fountain, dental cuspidor	1¼"
Bath tub, kitchen sink, urinal, wash tub, sitz bath	1½"
Slop sink, wash rack, catch basin, floor drain, bar gutter	2"
Water closets with a trap separate from the fixture	4"

SEAL OF A TRAP-

Section 102. The seal of a trap shall be not less than two (2) inches and if the trap serves a rain water leader or a floor drain, the seal shall be not less than three (3) inches.

CERTAIN TYPES OF TRAPS PROHIBITED-

Section 103. The use of a trap which depends for its seal upon internal partitions or upon any mechanism is expressly forbidden. This section shall not be understood to prevent the use of catch basins as covered in Section ——— .

REQUIRED INSTALLATION OF TRAPS-

Section 104. Every fixture shall have a separate trap connected to a waste line and located as near as practicable to the fixture served, except that not more than three (3) laundry trays in one room, four (4) wash basins in one room, one sink and one (1) or two (2) part laundry trays in one room, may be served by a single trap, provided that the length of the branch horizontal, waste shall not exceed in length fifteen (15) feet and that the trap be not less than one and one-half (1½) inches in diameter. All floor drains shall be trapped and sealed from nearest toilet.

PROHIBITED USE OF TRAPS-

Section 105. No trap shall be installed upon a house drain or house sewer or at the foot of a soil or waste pipe, provided, however, that a trap may be used at the foot of a rain water leader or sewer serving as a conductor of rain water only.

VENTING OF TRAPS-

Section 106. Every trap shall be provided with a vent, except that a vented trap for a restaurant sink, a wash basin in a barber shop, a soda fountain, a vegetable spray sink or similar fixture, will not be required if such trap be of the drum type in diameter not less than two and one-half (2½) inches with a water seal not less than four (4) inches.

DISPOSAL OF RAIN WATER ON NEW AND EXISTING BUILDINGS-

Section 107. Within the fire limits the rain water from inside or outside roof leaders, eaves or gutters, shall be conducted to the street gutter or to the alley abutting such property, in such a manner as to prevent damage to the walls and foundation of any building, damage to property, or unsanitary condition. In no case shall rain water from roofs be permitted to flow over sidewalks.

The connection of inside or outside roof leaders, eaves or gutters, to any house drain, house sewer or main drain, connected to the City Sewer is expressly forbidden.

CONSTRUCTION AND LOCATION OF CLEANOUTS-

Section 108. A clean-out through a "Y" branch shall be placed upon the main line and shall be so located that its use as a floor drain is impossible. The diameter of a cleanout need not be greater than four (4) inches, but for all stacks of lesser diameter than four (4) inches, the cleanout shall have the same diameter as the stack. There shall be a cleanout in an accessible place near the base of every sink-waste line.

FALL IN SEWER, DRAIN AND WASTE PIPES-

Section 109. The fall in all sewer, drain and waste pipes shall be not less than one-quarter (¼) of one (1) inch per foot, except where local conditions prevent when a lesser fall may be approved by the Building Inspector. No waste pipe shall have a fall between the outlet of the trap and the point of connection of the waste with the vent, greater than two (2) inches.

ATTACHMENT OF FIXTURES-

Section 110. All fixtures shall be securely fastened in place and, if attached to a partition or wall, shall be properly fastened and supported. Sink backs shall be set in white lead and putty.

WATER SUPPLY TO FIXTURES-

Section 111. The water supply to every fixture shall be in sufficient quantity to assure a thorough flushing of its trap.

ENCLOSURE OF FIXTURES FORBIDDEN-

Section 112. No fixture shall be inclosed with wood, but shall be open and accessible for thorough cleaning.

INSTALLATION OF WATER CLOSETS-

Section 113. Every water closet shall have an earthenware or enamel flushing rim bowl so arranged as to insure a delivery of at least three (3) gallons of clear water at each flushing through a pipe, in diameter not less than one (1) inch, connected to a tank or flushometer valve.

A group of water closets on the same or on different floors shall not be flushed from the same tank unless flushometer valves or similar devices are used. The water from a water closet flush tank shall not be used for cooking or drinking purposes.

No range, trough, mechanical seal, or chemical water closets shall be installed or maintained within the city.

No wash-out closet or flush rim hopper shall be permitted within buildings.

CONNECTION WITH WATER CLOSETS AND SLOP SINKS-

Section 114. Every water closet and every slop sink with a trap outlet above the floor shall be securely connected to the soil or waste pipe by a flange of either iron or brass, which is itself connected to the closet by means of drawn brass bolts, of a diameter of not less than one-quarter (¼) of one (1) inch. The joint between the fixture and the flange shall be made gas and water tight by means of asbestos graphite gaskets or with a paste composed of equal proportions of red or white lead and putty. The use of rubber washers for any such connection is expressly forbidden. The foregoing provisions, however, shall not be taken as prohibiting in such joint the use of a metal to metal connection or of a screw connection.

CONSTRUCTION AND INSTALLATION OF URINALS-

Section 115. All urinals shall be constructed of materials impervious to moisture, which will not corrode under the action of urine, and no metal other than copper, brass or other non-corrosive metal, shall be used in any part of such fixture. Every urinal shall be supplied with water from an automatic or pull tank or through a flushometer valve. A direct connection with the water supply will be permitted if the branch pipe between the urinal and the main supply pipe, to the building or to other fixtures, be equipped with an approved check valve to prevent back flow of air.

CONSTRUCTIONS OF SAFES-

Section 116. If a safe be placed under a fixture, the waste shall be run to an open fixture or to a floor drain or be placed in full sight outside of the building. Such waste line shall be constructed of galvanized iron, lead or cast iron pipe and fittings in diameter not less than one and one-fourth (1¼) inches.

FLOOR DRAINS-

Section 117. All floor drains, excepting stable floor drains, shall be trapped, and shall be connected to the main drain.

Every trap serving as a floor or area drain shall be supplied with fresh water through a galvanized iron pipe, in diameter not less than three-eighths of one inch or through a brass pipe in diameter not less than seven-sixteenths of one inch, connected to the nearest flush pipe and discharging on the house side of the trap.

STABLE FLOOR DRAINS-

Section 118. The floor drainage of a barn or stable shall be provided with a catch basin not smaller in area than twenty-four (24) by twenty-four (24) inches, with a clean-out at the end of the main drain on the house side of such catch basin and a clean-out on the sewer side of the drain. Every stable floor drain shall be connected to a drainage

system with a vent stack, in diameter not less than three (3) inches, located on the sewer side of the catch basin. The main drain on the house side of the catch basin shall have a diameter not less than three (3) inches and run in full size through the roof.

WOODEN SINKS-

Section 119. Except in photograph galleries, laundries and laboratories where acids are used, the use of wooden or metal lined wooden sinks is expressly forbidden. If such a metal lined sink be installed, holes shall be bored in the bottom of the wooden portion to indicate leakage therefrom.

DRAINAGE SYSTEM TO CONNECT WITH A SEWER, CESSPOOL OR SEPTIC TANK-

Section 120. Every building shall be connected through its drainage system to a sewer, if such sewer exist within one-half ($\frac{1}{2}$) block of such building, and such building be on property abutting such sewer, otherwise, it shall be connected to a cesspool or to an approved septic tank. No septic tank or cesspool shall be located less than ten (10) feet from any building.

CONSTRUCTION OF CESSPOOLS-

Section 121. No cesspool shall be used for the discharge of sewage except through permission of the Building Inspector. When such cesspools are used the size, location and construction shall be approved by the Building Inspector.

CONSTRUCTIONS OF SEPTIC TANKS-

Section 122. A septic filtering tank or a vault of two compartments may be installed in place of a cesspool if the design, location and point of overflow of the tank be first approved by the Building Inspector.

EXISTING CESSPOOLS, SEPTIC TANKS AND VAULTS TO BE REMOVED-

Section 123. Within one year after completion of a sewer, no cesspool or privy vault shall remain in service if such structure be within one-half block thereof. (See Section ——)

WASH RACKS-

Section 124. Wash racks for cleaning wagons, automobiles, or other vehicles shall be provided with a water-tight catch basin, in diameter and depth not less than two (2) feet, provided with an outlet not less than six (6) inches below the water line and so arranged as to prevent the passage of sand, dirt, etc., and shall be connected to a sewer, cesspool or septic tank. No clean-out shall be installed within the catch basin.

AIR PUMPS, ETC.-

Section 125. Air pumps, gas machines, fountain cuspidors, vegetable sprays and window fountains, if connected directly with the sewer, or with the soil or waste line, shall be provided with a non-siphonic or ventilated trap, and in any other case shall discharge over an open fixture or to a floor drain.

BUILDINGS FOR MANUFACTURING WHERE ACIDS ARE USED-

Section 126. In a building where acids are used in the operations, a sewer of terra cotta pipe may be installed if a concrete foundation in thickness of not less than six (6) inches be laid under the pipe and the sides and top of the pipe be incased in four (4) inches of concrete. This concrete shall be mixed not leaner than one part of cement, three parts of sand and five parts of crushed rock or gravel.

EXHAUST STEAM-

Section 127. The discharge from boiler blow-offs, steam traps or drip pipes shall not be connected directly with any sewer, house drain, soil or waste pipe.

REFRIGERATORS-

Section 128. No waste line from a refrigerator or other receptacle for the storage of food shall be connected directly to any sewer, soil or waste line, or discharge over a water closet tank. The waste line may discharge into an open vessel or to a floor drain. Every such waste line shall be of galvanized iron, lead or cast iron, so arranged as to be readily cleansed and shall be provided with a proper trap. A refrigerator bell trap may be used.

REPEALING CLAUSE-

Section 129. That Ordinance numbered 41 of Compilation of Ordinances of the City of Bend, approved February 3rd, 1914, entitled: An Ordinance providing for licensing of plumbers and drain layers and prescribing the rules and regulations covering plumbing and drainage of buildings and the construction, alteration and repair of sewers and house drains in the City of Bend, and all other ordinances or parts of ordinances of the City of Bend, in conflict herewith, are hereby repealed.

Passed by the Common Council ~~May~~ July 6 1925.

Attest: Louis Bennett
City Recorder

Approved this 7th day of ~~May~~ July 1925.

G. H. Fox
Mayor

Read, 1st time May 8-25
" 2nd " July 6-25

ORDINANCE NO. 254

AN ORDINANCE TO PROVIDE FOR THE LICENSING AND REGULATING OF THE BUSINESS OF INSTALLING, REPAIRING AND MAINTAINING PLUMBING AND DRAINAGE SYSTEMS, SEWERS, SEPTIC TANKS AND CESS POOLS, PROVIDING A PENALTY FOR ITS VIOLATION, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

SECTION I. No person, firm or corporation, directly or indirectly, shall engage in or conduct the business of installing, repairing or maintaining plumbing or drainage systems, sewers, septic tanks and cess pools, sewer connecting, sewer construction or the excavation of trenches for sewer pipes, water pipes or other plumbing for sewer purposes in the City of Bend, without first obtaining a license therefor as hereinafter provided; provided that the provisions of this ordinance shall not apply to persons, firms or corporations operating under contract with the Municipality of Bend.

SECTION II. Any person, firm or corporation desiring to engage in any of the occupations mentioned in Section I hereof, shall make written application for license therefor to the City Council only after said application has been approved in writing by the Building Inspector or by the Plumbing Board of Appeal, and said application shall not be approved until the applicant shall have furnished satisfactory evidence of his capacity to conduct said business in conformity with the ordinances of said City.

SECTION III. After favorable action by the City Council upon said application, license thereunder shall be issued by the City Recorder upon the execution and filing of the bond hereinafter provided for and the payment of the following fees:

SECTION IV. For the installation, alteration, repair and maintenance of plumbing and drainage systems, sewers, septic tanks and cesspools, the fee shall be as follows:

For a period of one year - - - - $40.00

For the installation, alteration, repair and maintenance of sewers, septic tanks and cesspools, the fee shall be as follows:

For a period of one year - - - - $25.00

No license shall be issued for a period of less than one year.

SECTION V. The applicant or applicants shall file with the City Recorder a bond/with corporate surety in the sum of Five Hundred ($500.00) Dollars, which bond shall be duly approved by the City Attorney, conditioned upon the protection of the City of Bend against all loss or damage which may occur on account of such licensee, through any carelessness or negligence in either the execution or protection of his work, or by reason of any unfaithful or inadequate work done by such person or by his employes, and that said licensee will conform to the conditions and requirements of the City of Bend as set out in the ordinances of said City.

SECTION VI. No person, firm or corporation engaging in the business of plumbing, sewer connecting, sewer construction, drainage, construction of septic tanks or cesspools, shall allow his or their names to be used by any other person, firm or corporation, directly or indirectly, either to obtain a permit or to do any work under his or their license or bond.

SECTION VII. An applicant for a license under this ordinance may appeal to the Plumbing Board of Appeal of the City of Bend from the decision of the Building Inspector relative to said application, and the decision of said Board thereon shall be final.

SECTION VIII. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punished by

a fine of not less than Fifty ($50.00) Dollars or more than Five Hundred ($500.00) Dollars, or by confinement in the City Jail for not less than ten (10) days or more than thirty (30) days, or by both such fine and imprisonment.

Passed by the Common Council, ~~May~~ July 6, 1925.

Attest:

Louis Bennett
City Recorder

Approved this 7th day of ~~May~~ July 1925.

R H Fox
Mayor

Read 1st time July 20, 1925
Read 2nd time July 20, 1925
Passed.

ORDINANCE NUMBER 255

AN ORDINANCE REGULATING THE CONSTRUCTION AND MAINTENANCE WITHIN THE CITY OF BEND, OF TOILETS NOT PROVIDED WITH A FLUSHING DEVICE, PROVIDING FOR THE ISSUANCE BY THE CITY PHYSICIAN OF PERMITS FOR THE CONSTRUCTION OF SUCH TOILETS, FORBIDDING THE ACCUMULATION OF WASTE MATTER ON PRIVATE PREMISES, REPEALING ORDINANCE NUMBER 179 AND ALL OTHER ORDINANCES OF THE CITY OF BEND IN CONFLICT HEREWITH, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

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

Section 1. From and after the date of the enactment of this ordinance, no toilet other than such as is equipped with a flushing devie and connected with a sewer or other effective disposal system, shall be installed or maintained within the City of Bend, except in such manner as shall be approved by the City Physician of said City.

Section 2. Any person proposing to construct a toilt within the City of Bend, not equipped with a flushing device and connected with a sewer or other effective disposal system, shall before constructing such toilet, make written application to the City Physician for permission to do so, said application stating the number of the lot and block and the distance of the proposed construction from the side and rear lines of said lot, upon which the same is to be located. If in the judgment of the City Physician, said toilet can be located and maintained as proposed, without injury to the public health, he shall approve such application; if in his judgment, such construction and maintenance will result in injury to the public health, he shall deny said application and said proposed toilet shall not be constructed.

Section 3. All toilets not equipped with aflusing device and connected with a sewer or other effective disposal system, now existing or hereafter constructed in the City of Bend, shall be screened so as to exclude flies, shall be adequately treated, at sufficient intervals with chloride of lime or other effective disinfectant, shall be cleaned as directed by the City physician and shall be generally kept in a neat and sanitary condition.

Section 4. No refuse or waste matter, of any description, other than human excreta, toilet paper and wood ashes shall be deposited in

a toilet of the type described in Section 2 of this ordinance; no such toilet now existing or hereafter constructed in the City of Bend, shall be moved without the approval of the City physician and in conform (ity) with his directions.

Section 5. It shall be unlawful for the owner or possessor of any premises within the City of Bend or the agent, with respect to said premises, of such owner, to permit to accumulate or to exist thereon, any ashes, waste paper, manure except for fertilizer, broken glass, broken ware, rubbish, tins cans, garbage, waste water or water used for any cleaning or sanitary purpose whatever. The term "Agent", as herein used is hereby defined to include any person, who, with respect to said premises, represents the non-resident owner thereof as to the rental or general control of said premises.

Section 6. Ordinance number 179 and all other Ordinances of the City of Bend in conflict herewith are hereby repealed.

Section 7. Any person violating the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than $5.00 or more than $25.00 or to imprisonment for not more than 10 days or to both such fine and imprisonment.

Section 8. In as much as this ordinance should become effective as speedily as possible for the protection of the public health, an emergency is hereby declared to exist and this ordinance shall become effective and in full operation from and after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council this 20th day of July, 1925.

ATTEST: Louis Bennett
City Recorder.

Approved by th Mayor, July 21, 1925

R. H. Fox
Mayor.

Read 1st time Aug 26 1925
Read 2nd time Aug 26, 1925
+ passed

Ordinance No. 256
repealed by NS-1497
passed 7-15-89

ORDINANCE NO. 256

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION, IMPROVEMENT AND REPAIR OF SIDEWALKS AND CURBS IN THE CITY OF BEND, FOR PAYING THE COST THEREOF, REPEALING ORDINANCE NUMBERED 203 OF THE CITY OF BEND AND DECLARING AN EMERGENCY.

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

Section 1. There is hereby delegated to the Committee on Streets, Public Ways and Sewers of the Common Council of the City of Bend the power to construct, improve and repair sidewalks and curbs within said City under the regulations hereinafter set forth.

Section 2. Whenever said committee shall consider it necessary that any sidewalk or curb be constructed, improved or repaired within said City, said committee shall cause the City Recorder to notify by registered mail the record owner of the real estate abutting upon said proposed sidewalk or curb to proceed to make such improvement within thirty days from the date of the receipt of such notice, as shown by the registry return card, and if he fails to do so that the City will cause said improvement to be made and the cost thereof assessed upon the abutting real estate; in case the name or address of such abutting owner cannot be found by the exercise of reasonable diligence, notice shall be given in the same manner to the resident agent of said owner; if said owner or agent cannot be found after the exercise of reasonable diligence, a copy of said notice shall be posted in a conspicuous place upon said abutting real estate, for a period of thirty days, said thirty days to run from the date of such posting.

Section 3. Whenever the owner of the abutting real estate shall fail to make said improvement after service of notice as provided in Section 2 hereof, said Committee on

Streets, Public Ways and Sewers shall require the City Engineer forthwith to furnish an estimate of the probable cost of said improvement, and when deemed necessary by said committee plans and specifications thereof, and file the same with the City Recorder; The City Recorder shall thereupon invite bids for the construction of said proposed improvement, and shall give ten days' notice thereof by publication in some newspaper published in the City of Bend, or by posting notices thereof in three public places in said City not less than ten days prior to the time of letting such contract.

Section 4. Said notice shall specify the time and place when and where said bids shall be considered by the Common Council of said City, and that the Council reserves the right to reject any and all bids; bids on different improvements may be invited in one notice, and contracts for the construction of the same may be included in one memorandum of agreement, the consideration for each being separately stated. The Council may impose such conditions for the construction of said improvement as it deems necessary to protect the interests of the City, and of all interested property holders.

Section 5. The contract price, the right of way and expense of condemning land, and a sum not to exceed five per cent of the contract price as the cost of advertising, engineering and superintendence shall be deemed to be the cost of such street improvement. The City Engineer, taking the cost of said improvement as herein defined, shall apportion the same upon the lot or lots, tract or tracts of land benefitted by said improvement, which said apportionment of cost shall be a proposed assessment, and shall be filed with the City Recorder. The cost of said improvement as herein defined shall be assessed against

against the lot or tract of land abutting upon said improvement, each lot or tract of land being chargeable with the cost of that portion of said improvement immediately abutting thereon.

Section 6. The Recorder shall thereupon cause to be published in a newspaper published in said City a notice, stating that said proposed assessment has been apportioned and is on file in the office of the City Recorder and subject to examination, and that any objection to such apportionment that may be made must be made in writing to the Common Council and filed with the City Recorder within ten days from the publication of such notice, and that the same will be heard by the Common Council before the passage of any resolution assessing the cost of said improvement; provided, however, that the Recorder may include in the same notice, notice of hearing on more than one proposed assessment at the same time and place.

Section 7. After the time specified in said notice has elapsed, the Council shall consider said proposed assessment and the objections made thereto, if any, and shall have the power, in its discretion, and without further notice, to consider, ascertain and decide whether or not the amount of said proposed assessment against each lot or tract of land has been assessed by the City Engineer in accordance with the provisions of Section 5 hereof, and the assessment against each such lot or tract of land shall be reduced or increased by the Council so as to conform with the provisions of said Section 5. After the Council shall have ascertained the just apportionment of said cost in accordance with the provisions of said Section 5, it shall declare said assessment by resolution, and direct the Recorder to enter in the docket of City liens a statement thereof, containing:

1. A description of each lot or tract of land liable

for such improvement.

2. The name of the owner or reputed owner thereof, or that the name of the owner is unknown.

3. The sum assessed upon the said property, and the day of entering same in the said Docket of City Liens, but such date need be made but once for all the entries made therein on the same day.

Section 8. The subsequent proceedings relating to said assessments shall be as provided in Sections 13 to 24, both inclusive, of Chapter 19 of the Charter of the City of Bend. Provided: That the provisions of Section 27 of Chapter 19 of the Charter of the City of Bend, relative to the payment of local assessments in installments, shall apply to the payment of assessments levied under the provisions of this Ordinance.

Section 9. Ordinance No. 203 of the City of Bend is hereby repealed.

Section 10. Inasmuch as the public welfare and safety requires that the many dangerous wooden sidewalks in the City of Bend be replaced by cement walks as soon as possible, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect upon its passage by the Common Council and approval by the Mayor.

Passed this 26th day of August, 1925.

Attest:

Louis Bennett
City Recorder

Approved this 26th day of August, 1925.

R. H. Fox.
Mayor

256

Read 1st time Sept. 4, 1925
Read 2nd time Sept. 4, 1925
Passed Sept. 4, 1925.

ORDINANCE NO. 257

AN ORDINANCE DEFINING THE TERMS "PARK" AND "PARKING", LIMITING THE HOURS OF PARKING ON PORTIONS OF CERTAIN THOROUGHFARES IN THE CITY OF BEND, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND DECLARING AN EMERGENCY.

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

Section 1. The term "park" or "parking", as used in this ordinance, is hereby defined to mean bringing an automotive vehicle to a stop or standstill upon any public thoroughfare of the City of Bend.

Section 11. Parking upon any of the hereinafter defined parts of public thoroughfares in the City of Bend, between the hours of eight A. M. and six P. M., shall be limited to ~~one~~ two hours to-wit: Wall and Bond Streets between Greenwood and Franklin Avenues; Oregon and Minnesota Avenues between Wall and Bond Streets. No parking shall be permitted at any time at the curb immediately adjacent to and in front of any moving picture theatre, and no parking at the curb immediately in front of and adjacent to any other place of public entertainment in the City of Bend shall be permitted during the time of entertainment therein.

Section 3. The time limit for parking as provided in Section 2 hereof shall not apply to automobiles kept for public hire nor to automobiles while used in the business of the City of Bend; provided, that automobiles kept for public hire shall park only at such locations on the above described portions of streets as shall be designated by the Police, Fire and License Committee of the Common Council.

Section 4. All automotive vehicles shall be so parked that at least one front wheel shall be not more than one foot

from the nearest curb.

Section 5. All ordinances or parts of ordinances of the City of Bend in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Any person violating any provision of this ordinance shall upon conviction thereof be subject to a fine of not less than $2.50 or more than $25.00.

Section 7. Inasmuch as the public safety and convenience requires that this ordinance become effective at as early a date as possible, 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.

Passed by the Common Council September 4th, 1925.

Attest:

Louis Bennett
City Recorder

Approved by the Mayor this 11th
Day of September, 1925.

R H Fox.
Mayor

Read 1st time Aug. 26, 1925.
Read 2nd time Sept. 29, 1925
Passed - Sept. 29, 1925

ORDINANCE NO. 258

AN ORDINANCE DEFINING PLACES OF PUBLIC AMUSEMENT IN THE CITY OF BEND, INCLUDING POOL ROOMS AND CARD ROOMS, REGULATING THE LICENSING THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES OF THE CITY OF BEND IN CONFLICT HEREWITH.

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

Section 1. As used in this ordinance, the term "place of public amusement" shall include pool rooms and card rooms or a combination thereof. The term "pool room", as herein used, is defined to be a place of public amusement where one or more pool or billiard tables, or both, are maintained for the use of the public for hire. The term "card room", as herein used, is defined to be a place of public amusement where tables or other appliances are maintained for playing card games, for the use of the public for hire.

Section 2. Nothing contained in this ordinance shall prevent the operation of pool and card rooms, as herein defined, together in the same room and under the same management. If both of said places of amusement are operated together in the same room and under the same management, the same shall be considered a single place of public amusement for the purpose of determining the number of places of public amusement which shall be licensed in the City of Bend.

Section 3. There may be issued under this ordinance not more than one license for a place of public amusement, as hereinbefore defined, for every one thousand inhabitants of the said City of Bend, as determined by any method which satisfies the Common Council of said city as to the population thereof. Provided, however, that in the event the number of places of public amusement now licensed within the City of Bend exceeds that which may be permitted under the provisions of this ordinance,

such licenses may be continued and renewed so long as the present owners continue to operate the same and fully comply with the requirements of all the ordinances and the Charter of the City of Bend. And in the event of a sale or transfer by any person owning such place of public amusement at the time of the adoption of this ordinance, such license may be continued or renewed without regard to the limitation fixed herein upon the same terms and conditions as though the ownership had not changed. In the event, however, that any of said places of public amusement be discontinued, no new license for a similar place of public amusement shall be issued unless the population of the City of Bend allows the same under the provisions of this ordinance.

Passed by the Common Council September 29th, 1925.

Attest:

Louis Bennett
City Recorder

Approved by the Mayor September 29th, 1925.

R. H. Fox.
Mayor

Read 1st time Aug 26, 1925
Read 2nd time Sept. 29, 1925
Passed Sept 29, 1925

Read 1st Time Oct. 6, 25
" 2nd Time Oct 6. 25.
Passed.

ORDINANCE NO. 259

AN ORDINANCE AMENDING SECTION SEVEN OF ORDINANCE NO. 31 OF THE CITY OF BEND ENTITLED "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS WITHIN THE CORPORATE LIMITS OF BEND", AND DECLARING AN EMERGENCY.

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

Section 1. That Section 7 of Ordinance No. 31 of the City of Bend, 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 amended so as to read as follows:

Section 7. Astrologers, soothsayers, phrenologists, seers and fortune tellers of all descriptions shall pay a license fee of $10.00 per day.

Every person proposing to engage, in the City of Bend, in any of the occupations mentioned in paragraph one of this section shall first make written application for permission to do so to the Police, Fire and License Committee of the Common Council; said committee may grant or refuse such permission as it considers best for the public welfare; if such permission be granted, the City Recorder shall issue a license to the applicant upon payment of the license fee herein prescribed; if such permission be not granted by the Police, Fire and License Committee, such license shall not issue.

Section 2. Inasmuch as the public peace and safety require that this ordinance become effective as soon as possible, an emergency is hereby declared to exist and this ordinance shall become effective upon its passage by the Common Council and approval by the Mayor.

Passed by the Common Council this 6th day of

October, 1925.

Approved by the Mayor this 6th day of October, 1925.

Attest:

Louis Bennett
City Recorder

R H Fox
Mayor

Read 1st time Oct. 6, 1925
Read 2nd time Oct. 6, 1925
Passed Oct. 6, 1925.

Ordinance No. 260

AN ORDINANCE VACATING THAT PORTION OF THE PLAT OF SECOND ADDITION TO BEND PARK SITUATED WITHIN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, T. 18 S., R. 12 E., W. M., IN THE CITY OF BEND, DESCHUTES COUNTY, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS, the owners of all lots and parcels of land located within that portion of the recorded plat of Second Addition to Bend Park, contained within the southwest quarter of the southeast quarter of Section 5, T. 18 S., R. 12 E., W. M., duly filed in the office of the Recorder of the City of Bend, Oregon, on the 26th day of August, 1925, a petition praying for the vacation of the above described portion of the said Second Addition to Bend Park; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three public places within the City of Bend on the 26th day ofAugust, 1925, and more than thirty days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of Robert B. Gould, on file herein; and

WHEREAS, it appears that said petitioners are the owners of all real estate contained within the above mentioned portion of the plat of Second Addition to Bend Park, and are the only parties to be affected by the vacation thereof; and

WHEREAS, upon the hearing of said petition by the Common Council of said city, no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted,

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

Section 1. That the recorded plat of Second Addition to Bend Park in the City of Bend, Deschutes County, Oregon, be and the same is hereby vacated as to the following described portion

thereof, to-wit: All that portion of the recorded plat of Second Addition to Bend Park in the City of Bend, Deschutes County, Oregon, located and being contained within the southwest quarter of the southeast quarter of Section 5, T. 18 S., R. 12 E., W. M.

Section 2. Inasmuch as the owners of the lands contained within the area which is proposed to be vacated desire to lay off and replat the said lands into acre tracts with the least possible delay, 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.

Passed by the Common Council this 6th day of October, 1925.

Approved by the Mayor this 6th day of October, 1925.

Attest:

Louis Bennett
Recorder

R. H. Fox
Mayor

Read 1st time Oct 6, 1925
Read 2nd time Oct 6. 1925
Passed Oct 6. 1925

ORDINANCE No. 261

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $36,242.43; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS ATTACHED THERETO; APPROVING RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90 91 + 92 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $36,242.43, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description, of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and reaming unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate, and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law, that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has has entered in a docket kept for that purpose, under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, nor which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law; now, therefore,

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

Section 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $36,242.48, in all equal to the total amount of the unpaid

assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date November 1st, 1925, to be numbered 1 to 73 inclusive, all for $500.00 each, except bond No.1 for $242.43, saidn bonds to be signed by the Mayom and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engarved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in the City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as City of Bend Highway Improvement Bond.

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No. 1 shall be in the principal sum of $242.43 and the coupons thereto attached in the sum of $2.14 7.27, to-wit:

No._____ $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND HIGHWAY IMPROVEMENT BOND

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the _____day of _____19___, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the 1st day of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of the City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of November, 1925.

R. H. Fox
Mayor

Countersigned
Louis Bennett
Recorder.

COUPON

No._____ $15.00

CITY OF BEND, STATE OF OREGON

will pay to bearer on the _____day of _____,19___, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six month's interest on Highway Improvement Bond No._____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void!

R. H. Fox
Mayor

Countersigned
Louis Bennett
Recorder.

Section 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, emppwered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enace this ordinance;

NOW, THEREFORE, and emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 16th day of November, 1925, by the following vote:

YEAS: 6

NAYS 0

Submitted to the Mayor November 17, ,1925.

Approved by the Mayor November 17, ,1925.

ATTEST:

Louis Bennett
Recorder.

R. H. Fox
Mayor.

Read 1st time Dec. 4, 1925

ORNINANCE NO *262

AN ORDINANCE to amend Sec. 8 of Ordinance known as Ordinance No 31, of Chapter VI, antitled " An ordinance providing for licensing and regulating the carrying on of certain professions, trades, calling and occupations within the corporate limits of Bend,.

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

Sec. 1. That Sec. 8 of Ordinance known as No 31 , same being entitled; An Ordinance providing for licensing and regulating the carrying on of certain professions, trades, calling and occupations within the corporate limits of the city of Bend; be and the same is hereby amended to read as follows;

Sec 8, Auctioneers and any person or persons comducting an auction sale within the corporate limits of the city of Bend, shall pay a license fee as follows; $25.00 per day, for the first day $35.00 for the second day; $45.00 for the third day, $55.00 for the fourth day; $65.00 for thefifth day and $75.00 for the sixth day, and $75.00 for each day thereafter so long as such business shall be conducted, provided no such business shall be conducted after six oclock P. M of any day. Every person shall be deemed an auctioneer within the meaning of the ordinance whose business is to offer property for sale at public outcry. The provisions of this ordinance shall not apply to judicial or executive officers making auction sales by virtue of any decree of any court or to public sales by guardians, executors or administrators ~~of property~~ of estates ~~of people dying in Bend~~ or of residents of Bend selling out their household goods or furniture.

Repealed

It is hereby declared that existing conditions are such ~~that~~ that this ordinance is necessary for the immediate preservation of the public peace, health welfare and safety, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage by the common council approval by the mayor.

approved this 4 day of December 1925.

Attest: Louis Barnett, City Recorder

R. H. Fox Mayor

Read 1st time Dec. 17, 1925
Read 2nd time Dec. 17, 1925 & Passed

ORDINANCE NO. 263

AN ORDINANCE TO R EPEAL ORDINANCE NO. 262 ENTITLED, "AN ORDINANCE TO AMEND SECTION 8 OF ORDINANCE KNOWN AS ORDINANCE NO. 31 OF CHAPTER 6, ENTITLED, 'AND ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS WITHIN THE CORPORAT LIMITS OF THE CITY OF BEND.

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

Section 1. That Ordinance No. 262 of the City of Bend entitled, AN ORDINANCE TO AMEND SECTION 8 OF ORDINANCE KNOWN AS ORDINANCE NO. 31 OF CHAPTER 6, ENTITLED, "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF BEND" be and the same is hereby repealed.

It is hereby declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, welfare and safety of the City of Bend, and an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage by the Common Council and approval by the Mayor.

Approved by the Mayor this 17th day of December, 1925.

R. H. Fox
Mayor

ATTEST:

Louis Bennett
City Recorder.

Read 1st time Dec. 17, 1925.
Read 2nd time Dec. 17, 1925 + Passed.

ORDINANCE NO. 264

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING AUCTION SALES AND AUCTIONEERS WITHIN THE CITY OF BEND: DEFINING AUCTIONEERS AND AUCTION SALES WITHIN THE MEANING OF THIS ORDINANCE, AND PROVIDING PUNISHMENT AND PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS OF THIS ORDINANCE, AND REPEALING ALL ACTS OR PARTS OF ACTS IN CONFLICT HEREWITH.

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

Section 1. That an auction sale as used in this ordinance shall mean any sale of property within the corporate limits of the City of Bend, conducted by any person or persons, firm or corporation where property shall be put up for sale to the highest bidder, or at public outcry.

Section 2. Any person is deemed to be an auctioneer within the meaning of this ordinance who shall offer property at sale to the highest bidder or at public outcry.

Section 3. Any person, firm or corporation conducting an auction sale within the City of Bend, or any auctioneer or auctioneers selling property at public sale to the highest bidder, or at public outcry, as the same are defined in this ordinance, shall, before offering such property for sale or beginning to conduct such auction business, pay to the City Recorder of the City of Bend a license fee of Twenty Five Dollars ($25.00) per day for each day during which such sale shall be conducted; PROVIDED that the provisions of this ordinance shall not apply to sale under execution, by administrators or executors, guardians or by virtue of any decree of any court, or to residents of Bend selling out their household goods or furniture.

Section 4. No auction sale shall be conducted except during the daylight hours of any day.

Section 5. Any person, firm or corporation engaged in the auction business or in the profession of auctioneer within the City of Bend, as defined in this ordinance, without first having

procured a license to do so as in this ordinance provided, shall be guilty of a misdemeanor, and upon conviction before the City Recorder, shall be fined in a sum not exceeding One Hundred Dollars ($100.00), or imprisoned in the City jail for a term not exceeding fifty (50) days, and upon a second offense or violation, upon conviction therefor, shall be punished by both such fine and imprisonment, and the amount of such license shall be deemed a debt to the City of Bend and such person, firm or corporation shall be liable to the City of Bend for the amount of such license.

Section 6. All acts and parts of acts in conflict herewith are hereby repealed.

It is hereby declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, welfare and safety of the City of Bend, and an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage by the Common Council and approval by the Mayor.

Approved by the Mayor this 17 day of December, 1925.

R. H. Fox
Mayor

ATTEST:

Louis Bennett
City Recorder

265 Missing

GLACIER BOND

ORDINANCE NUMBER 266

AN ORDINANCE TO CHANGE THE NAME OF HIGHLAND BOULEVARD IN THE CITY OF BEND TO HARMON BOULEVARD.

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

Section 1. That the Plat of Boulevard Addition to Bend be and the same is hereby amended by changing the name of Highland Boulevard to Harmon Boulevard and said thoroughfare shall here after be known as Harmon Boulevard.

Section 2. This ordianace shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council ~~February~~ Mar 5, 1926

ATTEST: Louis Bennett
City Recorder.

Approved by the Mayor ~~February~~ Mar. 5, 1926.

_____
Mayor.

Read 1st time Feb. 5, 1926

2nd reading Mar. 5-26 & Passed

#265 not read

ORDINANCE NO. 267

AN ORDINANCE FIXING THE SALARY OF THE CITY TREASURER AND REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES.

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

Section 1. From and including the month of January, 1926, the City Treasurer of Bend shall receive a salary of $2100.00 per annum, payable in twelve equal monthly installments.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of Section (1) hereof, are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the mayor.

Passed by the Common Council March 19th, 1926.

Approved by the Mayor, March 20th 1926.

ATTEST: Louis Bennett
City Recorder.

R H Fox
Mayor.

Read 1st time Mar. 5, 1926
Read 2nd time Mar 19, 1926

Ordinance repealed

ORDINANCE NO. 268

AN ORDINANCE PROVIDING FOR A WATER BOARD FOR THE CITY OF BEND, AND PROVIDING FOR THE APPOINTMENT AND NUMBER OF MEMBERS THEREOF, THE LENGTH OF THEIR TERMS OF OFFICE, AND FIXING THEIR DUTIES; ESTABLISHING THE OFFICE OF WATER SUPERINTENDENT, PRESCRIBING HIS DUTIES AND FIXING HIS SALARY; PROVIDING FOR THE OPERATION, MAINTENANCE, EXTENSION, IMPROVEMENT AND CONTROL OF THE WATER PLANT AND SYSTEM OF THE CITY OF BEND; PROVIDING FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL OF THE BONDS USED FOR ACQUIRING SAID WATER PLANT AND SYSTEM; CREATING A SINKING FUND AND DECLARING AN EMERGENCY.

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

Section 1. There is hereby created, to be effective from and after the passage of this act and its approval by the Mayor, a Water Board or Commission to be known as BEND WATER BOARD, which water board shall consist of eight members who shall be citizens and freeholders within the City of Bend, to be appointed by the Mayor of the City of Bend and confirmed by the City Council; one member of such board to be appointed from each election precinct within the city limits of the City of Bend as laid out and established by the County Court of Deschutes County, Oregon; provided, however, that the number of members of said water board shall be changed from time to time as new or additional precincts are laid out and established within the City of Bend so as to have one member of said water board from each voting precinct as may hereafter be fixed or established; provided that in no case shall the water board be reduced to less than three members.

Section 2. It shall be the duty of the Mayor of the City of Bend, with the approval of the City Council, forthwith after the passage of this Ordinance, to appoint such water board as provided for in Section 1 hereof, and the appointees thereof, before assuming any of their duties as such, each shall duly qualify by subscribing to an oath of office and filing with the City Recorder of the City of Bend a bond in the sum of

Five Thousand Dollars ($5000.00) for the faithful performance of his duties, and the accounting of all moneys that shall come into his hands by virtue of said office, the premium on said bond or bonds to be paid by the City of Bend.

Section 3. The said members of said water board shall serve without compensation, but each shall be paid his actual expenses incurred while performing his duties as a member of such water board.

Section 4. The term of office of the members of said water board shall be a period of four years, except of the members of the first water board appointed as hereinabove provided, the Mayor shall appoint four thereof whose term of office shall extend from the date of the appointment to the first day of April, 1928, and four whose term of office shall extend to the first day of April, 1930, and thereafter four members of said board shall be appointed on the first day of April of every second year, and such members, when appointed, shall hold office for a term of four years from said first day of April or until his successor shall be appointed and qualified. Any member so appointed may be removed by the Mayor and Council for cause. The board, when appointed, shall forthwith meet and organize by electing one member thereof as chairman of the board who shall hold such office for a period of two years or until the first day of April, 1928, and thereafter, beginning with the first day of April, 1928, the board shall every two years elect a chairman thereof who shall serve for a term of two years or until his successor is elected and qualified. The board shall meet in the Council Chamber or such other place as may be provided, on the first Thursday in each month for the transaction of business, and at such other times as it may deem necessary or proper.

Section 5. There is hereby created and established the office of water superintendent of the City of Bend, such

superintendent to have actual and active charge and control of the operation and maintenance of the water system of the City of Bend, subject to the orders and directions of the said Bend Water Board. The said superintendent shall be appointed by the Bend Water Board and shall hold office and the pleasure of said Board, and said water superintendent shall render and file with the said Bend Water Board and with the Council of the City of Bend, a monthly report showing the receipts and disbursements of the water plant during the preceding month, together with all improvements, extensions, repairs or changes made thereto or thereon; said water superintendent shall execute a bond to the City of Bend with corporate surety, conditioned upon his faithful performance of his duties, in such sum as the water board shall fix, premiums thereon to be paid from the revenue of said water system.

Section 6. The salary of the water superintendent shall not exceed Three Thousand Dollars ($3000.00) per year, payable out of the revenues derived from the water plant or system, and shall be paid monthly.

Section 7. The City Attorney of the City of Bend shall be legal advisor and attorney for the Bend Water Board.

Section 8. The said water board shall have complete and exclusive charge and control of the operation, maintenance, extension and improvement of the water plant and system belonging to the City of Bend, and shall have entire control of all funds derived from said water plant and system, and of the disbursement thereof, and shall so keep the same as at all times ro show the true cost of said system, its extension and yearly operation, the amount of outstanding warrants and bonds and current bills, and the disposition of the revenues of said system, and shall make annual reports to the Common Council of the City of Bend and such other reports as may be called for by the said

Common Council from time to time. Said water board shall have power and authority to hire and employ all necessary employees for the proper operation, maintenance, extension and improvement of said water system, and for the collecting of its revenues, and for making repairs thereon, and fixing the salaries and wages of all such employees and the method and manner of payment thereof, and shall have and is hereby granted the power and authority to fix rates and to do any and all things necessary to successfully operate said water system. Provided that in the fixing of rates and the making of extensions, the said Water Board shall adopt and use and be governed by the rules and regulations used by the Public Service Commission of Oregon in fixing rates and making extensions, in connection with its regulations of public utilities in cities and towns or other municipalities.

Section 9. The City Recorder of the City of Bend shall be secretary of said water board, and the City Treasurer of the City of Bend shall be the treasurer thereof, the compensation of such secretary and treasurer to be fixed by the water board.

The said Treasurer of said water board shall be required to execute to the City of Bend a bond with corporate surety in a sum not less than Thirty five thousand ($35,000.00) Dollars, conditioned upon his faithful performance of his duties as such treasurer, and of his accounting for all moneys by him received and disbursed.

The said Secretary shall be present at the meetings of the said board, shall keep the records and minutes thereof and have custody of the same.

Section 10. The income derived from the water plant and system owned and operated by the City of Bend shall be disposed of in the following order and manner:

(1) In the payment of the reasonable cost and expenses of operating said plant, including needed repairs thereon, and collecting its revenues.

(2) In the payment of the interest accruing on outstanding bonds issued to secure such plant.

(3) In the making of extensions to and improvements upon said plant.

(4) In the accumulation of a sinking fund for the payment of outstanding bonds issued to secure such plant, the amount so to be set aside yearly to equal three and one-half per cent (3½%) of the then outstanding bonds.

(5) In the payment of the bonds issued to secure such plant.

Section 11. The said Treasurer of said water board shall have charge of all moneys received by said water board, and shall keep the same deposited in a depository or depositories in the City of Bend and segregated in separate accounts, namely, Operation and Maintenance Fund, Bond Fund, Interest Fund, and Sinking Fund. All funds of the said Bend Water Board shall be disbursed and paid out upon warrants drawn against the respective funds as the case may be after the same have been audited and authorized by the said Water Board; said warrants to be signed by the Secretary of the board and countersigned by the Treasurer thereof.

It is hereby adjudged and declared that existing conditions are such that this ~~act~~ ordinance is necessary for the immediate preservation of the public peace, health and safety, and owing to the urgent necessity of properly maintaining the water system and distribution system of the City of Bend, now owned by the City, an emergency is hereby declared to exist, and this ~~act~~ ordinance shall take effect and be in full force and effect from and after its approval by the Mayor.

Approved by the Common Council of the City of Bend this 20th day of April, 1926.

Approved by the Mayor this 20th day of April, 1926.

R. H. Fox
Mayor

ATTEST:

Louis Bennett
City Recorder.

Read 1st time May 7, 1956
Read 2nd time

ORDINANCE NO. 269

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $31,072.70; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS ATTACHED THERETO; APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts No. 93, 94 and 95 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of such City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $31,072.70, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement, by lots or blocks, or other convenient description, of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, or which bears or in chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND AS FOLLOWS:

Section 1. That the City of Bend do issue bonds in the

name of and under the corporate seal of said City in the aggregate amount of $31,072.70, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date May 1st 1926 to be numbered 513 to 575 inclusive, all for $500.00 each, except bond No. 513 for $72.70, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in said City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Improvement Bond, Series 1926."

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No. 513 shall be in the principal the sum of $72.70, and the coupons thereto attached in the sum of $2.18, to-wit:

No._____ $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND

SERIES 1926

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the _____day of _____ 19____, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first day of November and May of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have

been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of May, 1926.

R. H. Fox
Mayor

Countersigned
Louis Bennett
Recorder

COUPON

No.____ $15.00

CITY OF BEND, STATE OF OREGON

Will pay to bearer on the _____day of _____
19____, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six month's interest on Improvement Bond, Series 1926 No._____unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

R. H. Fox
Mayor

Countersigned:
Louis Bennett
Recorder.

Section 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest, is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 7th day of May 1926, by the following vote:

YEAS 5

NAYS: 0

Submitted to the Mayor this 8th day of May, 1926.

Approved by the Mayor this 8th day of May, 1926.

R. H. Fox.
Mayor

ATTEST:

Louis Bennett
Recorder

Read 1st time May 7, 1926
Read 2nd time May 24, 1926 And

ORDINANCE NO. 270

AN ORDINANCE FIXING THE SALARY OF THE CITY PHYSICIAN AND REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES.

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

Section 1. From and including the month of January, 1926, the City Physician of Bend shall receive a salary of $1500.00 per annum, payable in twelve equal monthly installments.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of Section 1 hereof, are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed by the Common Council May 24, 1926.

Approved by the Mayor May 24, 1926.

Attest:

Louis Bennett
City Recorder

R. H. Fox.
Mayor

Read 1st time May 7, 1926
Read 2nd time May 24, 1926
Passed - May 24, 1926

Read 1st time June 15, 1926
Read 2nd time June 15, 1926
Passed June 15, 1926

ORDINANCE NO 271

AN ORDINANCE DIRECTING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST THE DESCHUTES COUNTY MUNICIPAL IMPROVEMENT DISTRICT FOR THE CONDEMNATION AND ACQUIRING OF SIX CUBIC FEET OF WATER PER SECOND OF TIME OF THE PERENNIAL NATURAL FLOW OF TUMALO CREEK AND ITS TRIBUTARIES IN DESCHUTES COUNTY, OREGON, FOR MUNICIPAL USES FOR THE CITY OF BEND; PROVIDING FOR THE APPOINTMENT OF VIEWERS TO VIEW AND MAKE A REPORT OF THE VALUE OF THE PROPERTY TO BE TAKEN, AND DECLARING AN EMERGENCY.

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

THAT, WHEREAS, the City of Bend has acquired by purchase, the water plant, water rights and distribution system of the Bend Water, Light & Power Co., and is now serving and supplying the City of Bend and the residents thereof with water from the Deschutes River; and

WHEREAS, the City of Bend has heretofore determined that it is necessary for the public health and safety of the citizens of Bend to acquire a water right in Tumalo Creek in Deschutes County, Oregon, for the purpose of furnishing water for municipal and domestic purposes to the inhabitants of the City of Bend from said Tumalo Creek; and

WHEREAS, the Deschutes County Municipal Improvement District claims to be the owner of the right to divert all the waters of Tumalo Creek and its tributaries in Deschutes County, Oregon, for the use by said Deschutes County Municipal Improvement District; and

WHEREAS, the City of Bend, by and through its duly authorized officers and agents, has heretofore attempted to purchase the right to the perpetual use of six cubic feet of water per second of time of the perennial and natural flow of Tumalo Creek and its tributaries for the purpose of furnishing the City of Bend and the inhabitants thereof with water for municipal and domestic purposes, and have been unable to agree on any price or consideration therefor; and

WHEREAS, the inhabitants of the City of Bend have heretofore, by vote, duly authorized the City of Bend to proceed to construct a pipe line to Tumalo Creek from Bend and install diversion works and divert the water from said Tumalo Creek to said City of

Bend through said pipe line, and in pursuance thereof the said City of Bend has contracted for the construction of said pipe line, and the same is now being constructed; and

WHEREAS, the City of Bend does deem it necessary that it acquire as speedily as possible, the right to the perpetual use of not less than six cubic feet of water per second of time from Tumalo Creek for the domestic and municipal use of the City of Bend, to be diverted from said Tumalo Creek at a point or points to be designated by the City of Bend, and transmit and conduct the same to the City of Bend through said pipe line.

SECTION 1. The City Attorney of the City of Bend is hereby authorized and directed forthwith to institute in the Circuit Court of the State of Oregon for Deschutes County, condemnation proceedings against the Deschutes County Municipal Improvement District, a municipal corporation, to condemn and acquire for municipal and domestic purposes of the City of Bend, the right to the perpetual use of six cubic feet of water per second of time from the perennial natural flow of Tumalo Creek and its tributaries, and take such steps as may be necessary from time to time to carry said proceedings to speedy final determination.

SECTION 2. J. J. McGuffin, K. J. Sallong and Percy A. Kupper, all competent and disinterested persons, are hereby designated and appointed as viewers to view such property so to be condemned, and report to the City Council of the City of Bend the value of the said property and the rights and interests of all persons having interests therein, within thirty days from the beginning of said action.

SECTION 3. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the citizens of Bend, and owing to the fact that work is now progressing on the laying and construction of said pipe line, and of

the necessity of having said pipe line completed and in use as speedily as possible, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

Passed by the Common Council this 15th day of June, 1926.

Approved by the Mayor this 15th day of June, 1926.

R. H. Fox
Mayor

ATTEST:

Louis Bennett
Recorder

C. S. BENSON
LAWYER
BEND, OREGON

City of Bend, ORDINANCE NO. 272

AN ORDINANCE VACATING THE ALLEY EXTENDING EAST AND WEST IN BLOCK (9) OF HIGHLAND ADDITION TO BEND.

----oOo----

WHEREAS, Grant L. Jensen, William H. Wallace and James W. Hunter, by petition duly filed in the office of the Recorder of the City of Bend, on May 10th, 1926, prayed for the vacation of the alley extending East and West in Block(9) of Highland Addition to Bend; and

WHEREAS, notice of the filing of said petition was duly given by posting written notice thereof in three most public places within said City on May 25th, 1926, and more than 30 days prior to the hearing of said petition by the Common Council of said City, as more fully appears from the affidavit of C.S. Benson on file herein; and

WHEREAS, it appears that the above named persons are the owners of all the real estate immediately adjoining said alley; and

WHEREAS, upon the hearing of said petition by the Common Council of said City, no objection was interposed to the granting of the prayer thereof, and no reason appearing why the same should not be granted; therefore,

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

Section 1. That the Plat of Highland Addition to Bend, as filed and of record in the office of the County Clerk of Deschutes County, Oregon, be andthe same is hereby vacated as to the alley extending East and West in Block(9) thereof.

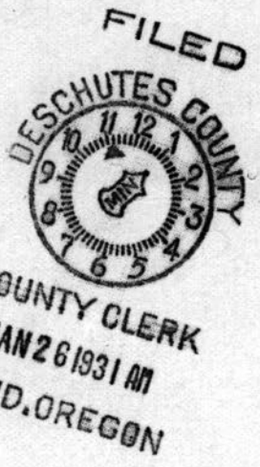
Section 2. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST: Louis Bennett City Recorder. Approved by the Mayor, July 16, 1926;

R. H. Fox
Mayor.

Read 1st time July 6. 1926.
Read 2nd time July 16, 1926 + Passed.

MITCHELL PUB. CO., MITCHELL, S. DAK.



No. E-10431

STATE OF OREGON }
County of Deschutes. }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11:05 o'clock A. M. and Recorded in Book 49 on Pages 458 Record of Deeds.

[illegible] COUNTY CLERK

BY [illegible] DEPUTY

Ordinance No. 273
repealed by NS-1497, passed 7-15-89

ORDINANCE NUMBER 273

AN ORDIANCE REGULATING THE CONSTRUCTION BY OTHERS THAN THE CITY OF BEND OF CEMENT SIDEWALKS AND CURBS WITHIN SAID CITY, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

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

Section 1. Any person or corporation, other than the City of Bend, proposing to construct a cement sidewalk or curb or both upon any public thorough fare or public grounds in the City of Bend, shall first make application to the City engineer for permission to do so.

Section 2. The City Engineer shall thereupn grant such permission and furnish to the applicant, without charge, the data from which the grade, location and width of the proposed improvement shall be determined.

Section. 3. No cement sidewalk or curb shall be constructed upon any public thorough fare or public grounds within the City of Bend, until application for a permit therefor is made as provided by ~~xxxx xxxx(x)xxx~~ this ordinance and such walk and curb shall be located and constructed as prescribed by the City Engineer.

Section 4. Any person violating any of the provisions of this ordinance shall be subject to a fine of not less than $5.00 or more than $50.oo

Section 5. In as much as a large amount of cement sidewalk and curb will be constructed in the City of Bend, in the immediate future, which construction is now wholly unregulated, the public welfare requires that this ordinance become effective as soon as possible, an emergency is hereby declared to exist and this ordinance shall be come effective immediately upon its approval by the Mayor.

Approved by the Mayor this 10th day of August, 1926.

ATTEST: Louis Bennett
City Recorder

C H Fox.
Mayor.

1st time Aug 9.
2nd time Aug. 9 & Passed.

Ordinance No 274

AN ORDINANCE VACATING A PORTION OF WEST TENTH STREET BETWEEN NEWPORT AVENUE AND QUINCY AVENUE IN THE CITY OF BEND, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS the owners of all lots and parcels of land adjoining the hereinafter described portion of West Tenth Street in the City of Bend, by petition, duly filed in the office of the Recorder of said City of Bend on the 16th day of August, 1926, prayed for the vacation of the hereinafter described portion of West Tenth Street in the recorded plat of Kenwood; and

WHEREAS notice of the filing of said petition was duly given by posting written notice thereof in three (3) public places within the City of Bend on the 16th day of August, 1926, and more than thirty (30) days prior to the hearing of said petition by the Common Council of said city as more fully appears from the affidavit of Robert B. Gould on file herein; and

WHEREAS it appears that said petitioners are the owners of all the real estate immediately adjoining said street; and

WHEREAS upon a hearing of said petition by the Common Council of said city no objection was interposed to the granting of the prayer thereof, and no reason appears why the same should not be granted;

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

Section 1. That the plat of Kenwood as filed and of record in the office of the County Clerk of Deschutes County be, and

the same is hereby vacated as to the following described portions of West Tenth Street to wit:

A strip of land ten (10) feet in width being the westerly ten (10) feet of West Tenth Street lying north of the north line of Newport Avenue and south of the south line of Quincy Avenue excepting therefrom the intersections of all alleys and cross streets intersecting said strip of land.

Also a strip of land ten (10) feet in width being the easterly ten (10) feet of West Tenth Street lying north of the north line of Newport Avenue and south of the south line of Qunicy Avenue excepting therefrom the intersections of all alleys and cross streets intersecting said strip of land.

Section 2. In as much as certain property owners having land abutting said West Tenth Street within the limits herein above set forth have pending certain improvements to be made within the limits of said street which should be carried forward without delay, 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 approved by the Mayor.

Approved by the Mayor this 18th day of September 1926.

Louisa Bennett.
Recorder.

R. H. Fox
Mayor

Read 1st time Sept. 17-26
Read 2nd time Sept 17-26
Passed Sept. 17-26.

ORDINANCE NO. 275

Ord. 275

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $13,061.03; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS ATTACHED THERETO; APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement District No. 98 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $13,061.03, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, withinterest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement by lots or blocks, or other convenient description, of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid did the amount of such assessment with any previous assessment for street

or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law; that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND AS FOLLOWS:

Section 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $[illegible].

amount of $13,061.03, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date October 1, 1926, to be numbered 576 to 602 inclusive, all for $500.00 each, except bond No. 576 for $61.03, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in such City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Improvement Bond, Series 1926."

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that Bond No. 576 shall be in the principal the sum of $61.03, and the coupons thereto attached in the sum of $1.83, to-wit:

No._____ $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND

SERIES 1926

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the___day of_____, 19___, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first day of April and October of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have

been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of October, 1926.

Countersigned:
Louis Bennett
Recorder

R. H. Fox
Mayor

COUPON

No.____ $15.00

CITY OF BEND, STATE OF OREGON

Will pay to bearer on the____day of_____, 19____, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six month's interest on Improvement Bond, Series 1926 No.____unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Countersigned:

Louis Bennett
Recorder.

R. H. Fox
Mayor

Section 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Company of Portland, Oregon, at par and accrued interest, is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof, that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 4th day of October, 1926, by the following vote:

YEAS, 5
NAYS, 0

Submitted to the Mayor this 5th day of October, 1926

Approved by the Mayor this 5th day of October, 1926.

R. H Fox
Mayor

Attest:

Recorder

CANCELLED

Read 1st time Dec. 7, 26.
" 2nd time Dec 20 - 1926

3792
8584

ORDINANCE NUMBER 276

AN ORDINANCE REGULATING THE NOMINATION OF CANDIDATES FOR ELECTIVE OFFICES IN THE CITY OF BEND AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. Any person desiring to become a candidate for any office mentioned in Chapter III of the Charter of the City of Bend, shall, not later than 5 O'clock P.M. of the first day of October immediately prior to any biannual election at which said office is to be filled, file in the office of the Recorder of said City, a petition containing the names of a number of legally qualified electors of said City, equal to at least 10% of the number of votes cast for mayor at the last preceding City election.

to be repealed

Section 2. The heading of said petition shall be in substantially the following form;

To_____
Recorder of the City of Bend;
We, the undersigned qualified electors of the City of Bend, request that you cause to be placed on the official City ballot to be used at the City election to be held on November_____, 19_____, the name of _____ as a candidate for the office of_____

_____

NAME. Street & number.

To said petition shall be attached an acceptance by the person named in said petition, in substantially the following form;

I hereby agree that my name be placed on the official ballot to be used at the City Election to be held on November_____, 19___ as a candidate for the office of_____.

Section 3. Not less than forty(40) days prior to any biannual election held in the City of Bend, the City Recorder shall prepare and furnish to the County Clerk of Deschutes County, Oregon, a statement showing the several City offices to be filled at such election.

Not more than Thirty(30) days and not less than twenty-eight (28) days before the day fixed by law for said election, the City Recorder shall file with the County Clerk of Deschutes County, Oregon, his certificate containing the names of all persons in whose behalf petitions have been filed and by whom acceptances have been executed, as provided by Section (2) hereof.

Section 4. That Ordinance numbered 181 and all other Ordinances of the City of Bend, in conflict herewith, are hereby repealed.

Passed by the Common Council,_____192

ATTEST: Approved by the Mayor,_____192

Louis Bennett
City Recorder.

R. H. Fox
Mayor.

GLACIER BOND

Read 1st time Jan. 21, 1927.
Read 2nd time Jan 21. 1927 + Passed,

ORDINANCE NO. 277

AN ORDINANCE REGULATING THE DEPOSIT OF CITY FUNDS, PROVIDING FOR THE PAYMENT OF INTEREST TO THE CITY ON SUCH DEPOSITS, AND DECLARING AN EMERGENCY

Section 1. It shall be the duty of the Treasurer of the City of Bend, on the first Monday in January of each year or upon any subsequent Monday of said month to designate such banks within said City as have under the provisions of this Ordinance become eligible City depositories for the purpose of receiving on deposit during the current year, funds of said city and paying out the same on order or check of the City Treasurer.

The banks applying to be made depositories under the provisions of this ordinance shall on any Monday in the month of January upon which depositories are designated as provided herein, file an application therefor in writing with the City Treasurer, said application to be accompanied by a sworn statement of the financial condition of said bank on the date when said application is filed. The City Treasurer shall pass upon said application and shall have the power to approve or reject the same; provided, that before the City Treasurer shall approve such application, the same shall be accompanied by a depository bond, with corporate surety, guaranteeing the repayment of the amount of deposits applied for, or in lieu of said surety bond the said application shall be accompanied by any of the securities herein described, said securities to guarantee the repayment to the City of the amount of the deposits applied for. Said security shall be in the form of U.S. bonds, general fund warrants of the City of Bend, or of Deschutes County, Oregon; PROVIDED, first, that the face value of said U.S. bonds shall be equal to at least the amount of deposits applied for, and the face value of said general fund warrants shall be at least 10% greater than the amount of deposits applied for. Second, that no general fund warrants of Deschutes County shall be accepted as such security when said County is in arrears for more than one year in its payment of general fund warrants. Third, that any of such security, title to which does not pass by delivery, shall be assigned in writing to the City Treasurer. Upon final repayment to the city of said deposits and accrued interest, said bond and securities shall be assigned

and returned to the bank depositing same, and when such securities can be conveniently segregated, the City Treasurer, at his discretion, may reduce or increase the same in proportion as said deposits are reduced or increased or entirely repaid, and he may allow substitution of other securities of the classes above named.

Section 2. The City Treasurer shall deposit and at all times keep on deposit in the city depositories provided for in Section 1 hereof, all the monies of the City coming into his hands and the said monies shall in the reasonable course of business be deposited in the same depositories in the proportion that the capital and surplus of said depositories bears to the total public funds. All such deposits shall be subject to payment when demanded by the City Treasurer, on his check or order, and any depository on receipt of such deposits as aforesaid shall be required to pay to the City of Bend for the privilege of holding the same, interest at the rate of 3% per annum, on sinking fund deposits in said depository. Interest as aforesaid shall be paid to the City at the end of every six months, and the said depository shall, on the interest paying days, render statements in duplicate, to the City Treasurer, showing the amounts so credited. The Treasurer shall require and it is hereby made the duty of every depository, to keep an accurate account of all such monies deposited and to render at the beginning of each and every month to the City Treasurer a statement showing daily balance thereon and all sums paid to the City for the privilege of keeping said monies on deposit as aforesaid shall be credited by the Treasurer to the proper funds.

Section 3. For the security of the funds so deposited under the provisions of this ordinance, the City Treasurer shall require of such depositories to deposit securities of the kind and character herein described, or to give bonds with corporate surety as herein provided for the payment of such deposits and interest. Said bonds, when given, shall run to the City of Bend, and together with the securities offered, are to be approved as to their legal

form by the City Attorney. Said bonds shall be conditioned that the depository shall, at the beginning of every month, render to the City Treasurer a written statement showing daily balance and the amount of money belonging to the City, held by it during the month preceding and the amount of interest thereon, as hereinbefore provided and generally to do and perform at all times as may be required by the provisions of this Ordinance, and to faithfully discharge the trust reposed in said depository. The bond provided for under this Ordinance shall be in substance as follows:

KNOW ALL MEN BY THESE PRESENTS: that I, _____, as principal of Bend, Deschutes County, Oregon, in the sum of $_____dollars for the payment of which, well and truly to be made, we hereby bind ourselves, our successors and assigns, firmly by these presents.

Dated this _____day of_____, 19___.

WHEREAS, the said principal, the_____bank of_____, has applied for a part of the current funds of the City Treasurer of the City of Bend, Deschutes County, Oregon, to be deposited in said bank the amount whereof shall be subject to withdrawal or diminuation by said Treasurer as the requirements of said City shall demand, and which amount may be increased as the said Treasurer may determine; and

WHEREAS, said bank in consideration of such deposit and for the privilege of keeping the same has agreed to pay said City of Bend interest on such sum at the rate of 3% per annum on the amount of all sinking fund deposits held by it for a period of six months, computed at the end of each period of six months, which interest shall be credited to the account of the City of Bend, and shall become thenceforth a part of said deposit.

NOW, THEREFORE, if said_____Bank of_____shall at the beginning of each and every month, render to the City Treasurer a statement showing the daily balance of the city monies held by it during the month next preceding, and the interest thereon, and shall well and truly keep all said

sums of money so deposited, or to be deposited, as aforesaid, and the interest thereon, subject at all times to the check or order in writing of the City Treasurer, and his successors in office as shall be by him demanded, and shall calculate, credit and pay said interest as aforesaid, and shall in all respects keep said City of Bend and its Treasurer harmless and indemnified for and by reason of making of said deposit or deposits, then this obligation shall be void, otherwise to remain in full force and effect.

Witness our hands and seals the day and year first above written.

Executed in our presence:

_____ _____Principal

By_____

_____ _____Surety

By_____

All bonds and securities after approval, shall be deposited with and held by the City Treasurer, without charge to any one. It shall be the duty of the City Attorney to prosecute to final determination all actions for the recovery of any penalty under the conditions of any bond required to be given by the provisions of this Ordinance, said action to be brought in the name of the City of Bend.

Section 4. Inasmuch as the provisions of this ordinance should become effective at as early a date as possible in the interest of the public welfare, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from its passage by the Common Council and approval by Mayor.

ATTEST: Louis Bennett
City Recorder

Approved this 22 day of January, 1927.

R. H. Fox
Mayor

Read 1st time Jan 24, 1927
Read 2nd time Jan. 24, 1927
Passed Jan. 24, 1927

ORDINANCE NO. 218

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $1563.09; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND COUPONS ATTACHED THERETO; APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Bend has proceeded to construct cement sidewalks and cement curbs in the City of Bend, Oregon, and has duly assessed the cost of said construction to the real estate benefited thereby or liable therefor, according to the provisions of the charter ofsaid City and the ordinances thereof; and

WHEREAS, the owners of the property so assessed for such construction, in the sum of $10.00 or more, aggregating in all to the sum of $1563.09, have within twenty days after notice of such assessments were first published, filed with the Recorder of said City, written application to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement by lots and blocks, or other convenient description, of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County

in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shownin the application and

WHEREAS, at the time and in the manner provided by law, that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND AS FOLLOWS:

Section 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $1563.09, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date, January 15th, to be numbered 1 to 4 inclusive, all for $500.00 each, except bond No. 4 for $63.09, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal

of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, ~~a~~ shall be and is hereby vested in such City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Ore. in New York City and shall be known as "City of Bend Improvement Bond, Series 1926."

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that Bond No. 4 shall be in the principal the sum of $63.09 and the coupons thereto attached in the sum of $1.89 to-wit:

No._____ $599.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND SIDEWALK IMPROVEMENT BOND

SERIES 1927

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the___day of_____, 19__, without grace, with

interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the fifteenth day of January and July of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements and is an obligation of the City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 24th day of January 1927.

R. H. Fox.
Mayor

Countersigned:

_____
Recorder

COUPON

No._____ $15.00

CITY OF BEND,

STATE OF OREGON

Will pay to bearer on the____day of_____, 19___, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six months interest on Improvement Bond, Series 1927 No.____unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Countersigned: _____ Mayor

_____ Recorder

Section 3. The sale of the aforesaid bonds heretofore made to Lumbermens Trust Co. of Portland, Oregon, at par and accrued interest, is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof, that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 24th day of January, 1927, by the following vote:

Yeas, 5

Nays, 0

Submitted to the Mayor this 24th day of January, 1927.

Approved by the Mayor this 24th day of January, 1927.

Attest: Louis Bennett
Recorder

R. H. Fox
Mayor

Read 1st time Feb. 8, 1927
Read 2nd time Mar 4 1927
& Passed.

City of Bend ORDINANCE NUMBER 279

AN ORDINANCE VACATING THE FOLLOWING DESCRIBED ALLEYS AND PORTIONS OF STREETS IN WIESTORIA, AN ADDITION TO BEND: TO-WIT: THE ALLEY IN BLOCK 46, THE ALLEY IN BLOCK 47, SEWARD AVENUE AND REVERE AVENUE BETWEEN 8TH & 11TH STREETS; RESERVING TO THE CITY OF BEND THE RIGHT TO CONSTRUCT AND MAINTAIN WATER CONDUITS IN SAID LANDS.

WHEREAS, by petitions duly filed in the office of the Recorder of the City of Bend, on December 20th, 1926, the vacation of the following described alleys and portions of streets, in Wiestoria, an Addition to Bend, was prayed, to-wit;

the Alley in Block(46); the Alley in Block(47); Seward Avenue between 8th street and 11th street; Revere Avenue between 8th street and 11th Street; and

WHEREAS, notice of the filing of each of said petitions was duly given by posting written notice thereof in three public places within said City on the 20th day of December, 1926 and more than thirty days prior to the hearing of said petitions by the Common Council of said City, as more fully appears from the Affidavit of C.S. Benson, on file herein; and

WHEREAS, it appears that the owners of all the lands abutting upon each of said Alleys and each of said portions of streets sought to be vacated have consented in writing thereto; and

WHEREAS, upon the hearing of said petitions by the Common Council of said City, no objection was interposed to the granting of the prayer of each of said petitions and no reason appears why the same should not be granted, right of access to said lands for the installation and maintenence of a water conduit being reserved to the City of Bend; therefore

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

Section 1. That the Plat of Wiestoria, an addition to Bend, as filed and of record in the office of the Clerk of Deschutes County, Oregon be and the same is hereby vacated as to the following described alleys and portions of streets, to-wit;

the Alley in Block(46); the Alley in Block(47); Seward Avenue between 8th and 11th streets; Revere Avenue between 8th and 11th streets, re-

serving, however, to the City of Bend the perpetual right of entry upon and use of, said lands for the installation and maintenance of a water conduit therein.

Section 2. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST: Louis Bennett
City Recorder

Approved this 4th day of March 1927

R. K. Fox.
Mayor.

STATE OF OREGON }
County of Deschutes }

I hereby certify that the within instrument of writing was received for Record on the ... day of ... A. D. 19... at ... o'clock ... M. and Recorded in Book ... Record of ... on Pages ...

COUNTY CLERK

BY ... DEPUTY

FILED

DESCHUTES COUNTY

BEND, OREGON

FILED

DESCHUTES COUNTY

COUNTY CLERK

JAN 26 1931 AM

BEND, OREGON

26.71

No. E-10432

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 26 day of January A. D. 1931 at 11:06 o'clock A M. and Recorded in Book 49 on Pages 459 Record of Deeds

J. Anderson COUNTY CLERK

BY [illegible] DEPUTY

ORDINANCE NO. 280

AN ORDINANCE FORBIDDING THE RECEIVING OR DISCHARGING OF PASSENGERS BY MOTOR VEHICLES TRANSPORTING PASSENGERS FOR HIRE TO OR FROM A FIXED TERMINUS OUT SIDE THE CITY OF BEND, UPON ANY PUBLIC THOROUGH FARE IN THE CITY OF BEND, PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING AN EMERGENCY.

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

Section 1. No person, firm or corporation, either as principal or agent operating any motor carrier of passengers for hire to or from a fixed terminus without the City of Bend, from or to the City of Bend, shall receive or discharge passengers upon any public thoroughfare within said City.

Section 2. Any person violating the provisions of this ordinance shall upon conviction thereof be subject to a fine of not less than $5.00 nor more than $50.00.

Section 3. In as much as it is necessary for the preservation of the public peace and welfare that this ordinance become effective at as early a date as possible, 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.

Approved this 21st day of March 1927.

ATTEST: Louis Bennett
City Recorder.

R. A. Fox.
Mayor.

Read first time Mar. 21, 1927.
Read second time Mar. 21, 1927
Passed.

ORDINANCE NO. 281

AN ORDINANCE TO AMEND ORDINANCE NUMBER 268 OF THE CITY OF BEND, ENTITLED: AN ORDINANCE PROVIDING FOR A WATER BOARD FOR THE CITY OF BEND AND PROVIDING FOR THE APPOINTMENT AND NUMBER OF MEMBERS THEREOF, THE LENGTH OF THEIR TERMS OF OFFICE, AND FIXING THEIR DUTIES: ESTABLISHING THE OFFICE OF WATER SUPERINTENDANT, PRESCRIBING HIS DUTIES AND FIXING HIS SALARY; PROVIDING FOR THE OPERATION, MAINTENANCE, EXTENSION, IMPROVEMENT AND CONTROL OF THE WATER PLANT AND SYSTEM OF THE CITY OF BEND; PROVIDING FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL OF THE BONDS USED FOR ACQUIRING SAID WATER PLANT AND SYSTEM: CREATING A SINKING FUND AND DECLARING AN EMERGENCY, BY AMENDING SECTION 2 THEREOF.

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

Section I. That Section 2 of Ordinance number 268 of the City of Bend, be and the same is hereby amended so as to read as follows;

Section 2. It shall be the duty of the Mayor of the City of Bend, with the approval of the City Council, forthwith, after the passage of this Ordinance to appoint such Water Board as provided for in Section 1 hereof, and all appointees thereto, before assuming any of their respective duties as such, shall each qualify by subscribing and filing with the City Recorder, an oath of office in the form prescribed by Section 5 of Chapter VI of the Charter of the City of Bend but no bond shall be required of said appointees.

Section 2. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

ATTEST: _____ Approved this 22nd day of April, 1927.

ATTEST: Louis Bennett
City Recorder.

R. H. Fox
Mayor.

Read 1st time Mar. 21, 1927
Read 2nd time Apr. 1, 1927 and Passed

Read 1st time Aug 30, 1927
Read 2nd time Aug 30- 1927 & passed

ORDINANCE NO. 282

AN ORDINANCE FIXING THE SALARY OF THE BUILDING INSPECTOR AND OF THE DAIRY AND MILK INSPECTOR IN THE CITY OF BEND, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

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

Section 1. The salary of the Building Inspector and of the Dairy and Milk Inspector of the City of Bend are hereby fixed at $50.00 per month, respectively.

Section 2. The provisions of Section one hereof shall be effective from and after July 1st, 1927.

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

Section 4. In as much as the public welfare requires that the provisions of this ordinance become effective at once, 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.

To be registered

Approved this 30th day of August 1927.

ATTEST: Louis Bennett
Recorder.

R. H. Fin
Mayor.

Read 1st time Aug 30 - 1927
Read 2nd time Sept. 16 - 27 Passed.

ORDINANCE NUMBER 283

AN ORDINANCE REGULATING THE CONSTRUCTION OF METAL AWNINGS OR MARQUISE IN THE CITY OF BEND.

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

Section 1. The outer edge of all metalic awnings commonly known as marquise, hereafter constructed in the City of Bend shall be at least two feet inside the curb line.

Section 2. Except as provided by Section one hereof, the construction of all metalic awnings or marquis hereafter erected in the City of Bend shall be governed and regulated by the provisions of Ordinance number 169 of the City of Bend, entitled;

An ordinance to regulate the placing of awnings within the City of Bend, Oregon, providing a penalty therefor and repealing Ordinance number 76,

Section 3. This ordinance shall be in full force and effect upon its passage by the Common Council and approval by the mayor.

Approved this 17th day of Sept, 1927.

R. T. Fox
Mayor.

ATTEST: Louis Bennett
City Recorder.

Read first time Aug. 30, 1927
Read second time Sept. 16, 1927
Passed Sept. 16, 1927

Ordinance #283

Ordinance No. 284

AN ORDINANCE PROVIDING A PENALTY FOR THE VIOLATION OF QUARANTINE REGULATIONS IMPOSED BY THE CITY PHYSICIAN IN CASES OF COMMUNICABLE DISEASES AND MAKING THE DECISION OF THE CITY PHYSICIAN AS TO THE COMMUNICABLE CHARACTER OF ANY DISEASE, CONCLUSIVE, SUBJECT TO APPEAL TO THE STATE BOARD OF HEALTH AND PROVIDING FOR THE APPOINTMENT BY THE COMMITTEE OF HEALTH OF THE COMMON COUNCIL OF GUARDS TO ENFORCE QUARANTINE REGULATIONS.

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

Section 1. Any person violating any regulation imposed by the City Physician in the quarantine of a communicable disease within the City of Bend; and any person having the charge, custody or control of any minor or other incompetent person as parent, guardian or otherwise, who shall permit such minor or other person under his or her care, custody, or control, to violate such regulation, shall upon conviction thereof be punished as herein after provided.

Section 2. The decision of the City physician as to the communicable character of any suspected disease and the proper measures to be employed in quarantining the same shall be conclusive, until reversed or modified by the State Board of health.

Section 3. The Committee on Health of the Common Council may employ as many persons as it deems necessary properly to guard any house or place quarantined for any infectuous disease and such persons shall be sworn as quarantine guards, shall have police powers and may use all necessary means to enforce any quarantine regulations imposed by the City Physician. The wages of said guard when certified by the Chairman of said Committee shall be paid by the person or persons quarantined, when financially able to make such payment; if not able to do so, the same shall be paid by the City of Bend.

Section 4. Any person violating any of the provisions of this ordinance shall on conviction thereof be punished by a fine of not less than $5.00 nor more than $25.00 or by imprisonment in the City jail for not more than 30 days or by both such fine and imprisonment.

Section 5. This ordinance shall be in full force and effect from and after its approval by the Mayor.

Approved this 16th day of September, 1927.

Attest: Louise Bennett
City Recorder

R. H. Fox.
Mayor

Read 1st time Aug. 30, 1927
Read 2nd time Sept. 16, 1927
Passed - Sept. 16, 1927.

Ordinance #284.

ORDINANCE NUMBER 285

AN ORDINANCE TO AMEND ORDINANCE NUMBER 268 OF THE CITY OF BEND BY AMENDING SECTION ONE THEREOF AND DECLARING AN EMERGENCY.

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

Section 1. That ordinance numbered two hundred sixty-eight of the City of Bend, entitled;

> An ordinance providing for a water board for the city of Bend, and providing for the appointment and number of members thereof, the lenght of their terms of office, and fixing their duties; establishing the office of Water Superintendant, prescribing his duties and fixing his salary; providing for the operation, maintenance, extension, improvement and control of the water plant and system of the City of Bend; providing for the payment of the interest and principal of the bonds used in acquiring said water plant and system; creating a sinking fund and declaring an emergency,

approved by the Mayor on the 20th day of April, 1926, be and the same is hereby amended by amending Section 1 thereof so as to read as follows;

Section 1. There is hereby created, to be effective from and after the passage of this Ordinance and its approval by the Mayor, a Water Board or Commission to be known as BEND WATER BOARD, which Board shall consist of eight members who shall be citizens and freeholders within the City of Bend, to be appointed by the Mayor and confirmed by the Common Council; one member of such Board shall be appointed from each election precinct within said City as such precincts existed on April 20th, 1926.

Section 2. It is hereby adjudged and declared that existing conditions are such that the public welfare requires that this Ordinance become effective at once, an emergency is therefore declared to exist and this ordinance shall become in full force and effect upon its passage by the Common Council and approval by the Mayor.

Approved by the Mayor this 4th day of November, 1927

ATTEST: Louis Bennett
City Recorder.

R. H. Fox
Mayor.

Ordinance repealed

ORDINANCE NO. 286

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $ 817.42 ; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS ATTACHED THERETO; APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the city of Bend has proceeded to construct cement sidewalks in the city of Bend, Oregon, and has duly assessed the cost of said construction to the real estate benefited thereby or liable therefor according to the provisions of the charter of said City and the ordinances thereof; and

WHEREAS, the owners of the property so assessed for such construction, in the sum of $10.00 or more, aggregating in all to the sum of $ 817.42 have within twenty days after notice of such assessment were first published filed with the recorder of said City, written application to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvement; and

WHEREAS, each and all of said applications contain a statement by lots and blocks, or other convenient description, of the property of the applicant assessed for such improvement; and

WHEREAS; in no application received as aforesaid did the amount of such assessment with any previous assessment for street or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated, and

#286

WHEREAS, the City Recorder, who is charged with keeping the records of said city, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kept separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application and

WHEREAS, at the time and in the manner provided by law, that is to say, after the expiration of the time for filing applications for the payment of assessments for the improvement of streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of unpaid assessment, and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said city precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND AS FOLLOWS:

Section 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of $ 8171.42 in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date November 1, 1927, to be numbered 5 to 21 inclusive, all for $500.00 each, except bond No. 5 for $ 171.42, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable

semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in such City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Sidewalk Improvement Bond, Series 1927."

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No. 5 shall be in the principal sum of $171.42 and the coupons thereto attached shall be in the sum of $5.14 to-wit:

No._____ $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND SIDEWALK IMPROVEMENT BOND

SERIES 1927

KNOW ALL MEN BY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the __ day of _____, 19__, without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first day of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements and is an obligation of the City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 4th. day of November, 1927.

R. H. Fox
Mayor

Countersigned;

Louise Bennett
Recorder

COUPON

NO._____ $15.00

CITY OF BEND

STATE OF OREGON

Will pay to bearer on the ___ day of _____, 19__, in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City,

FIFTEEN DOLLARS

being six months interest on City of Bend Sidewalk Improvement Bond, Series 1927 No.___ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

R. H. Fox
Mayor

Countersigned:

Louise Bennett
Recorder

Section 3. The sale of the aforesaid bonds heretofore made to The Lumbermens Trust Co. of Portland, Oregon, at par and accrued interest, is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to the purchaser upon the payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof, that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 4th. day of November, 1927 by the following vote:

Yeas, 4

Nays, 0

Submitted to the Mayor this 4th. day of November, 1927.

Approved by the Mayor this 4th. day of November, 1927.

Attest: Louis Bennett
Recorder.

G. H. Fox
Mayor

Read 1st time Nov. 4, 1927.
Read 2nd time Dec 2 - 1927 + passed

ORDINANCE NUMBER 287

AN ORDINANCE DEFINING THE QUALIFICATIONS OF VOTERS AT ELECTIONS IN THE CITY OF BEND AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

Section 1. In addition to the other general qualifications required by the Constitution of the State of Oregon, every person voting at any City election in the City of Bend, shall be a registered voter therein.

Section 2. Every person offering to vote at any City election shall furnish to the election Board having charge of the poll where he proposes to vote, his true name ~~and address~~, which name ~~and address~~ said election Board shall cause to be entered in a poll book.

Section 3. The City Recorder shall cause to be prepared, poll books and talley sheets for the use of Election Boards conducting elections and immediately prior to the holding of any such election, shall furnish to each of said Boards, one poll book and a sufficient number of talley sheets and ballot boxes.

Section 4. Before permitting any person to vote at any City Election, the Election Board officiating at the poll where such person proposes to vote, shall require him to state his true name ~~and address~~ and shall enter the same in the poll book mentioned in Section(3) of this ordinance.

Section 5. Immediately after the votes are canvassed, each Election Board conducting a city election, shall deliver to the City Recorder, the poll book used by it, certified as to its correctness by at least one Judge and one Clerk, together with the ballot boxes, unused Ballots and tallet sheets in its possession. Said poll books shall be preserved by the the Recorder for a period of six months at least and shall be a public records of his office.

Section 6. Any person falsely stating or representing that he possesses any qualifications of any elector required by this ordinance, shall upon conviction thereof, be subject to a fine of not less than $10.00 or more than $100.00 or to imprisonment for not less than 10 days or more than 30 days or to both such fine and imprisonment.

Approved by the Mayor this 2nd day of December, 1927.

ATTEST: Louis Bennett
City Recorder.

G. H. Fox
Mayor.

Read 1st time June 6-1928
Read 2nd time Jan. 20-28
Passed Jan. 20-1928.

ORDINANCE NUMBER 288

AN ORDINANCE DESIGNATING THE ROUTE OF THE DALLES-CALIFORNIA HIGHWAY THRU THE CITY OF BEND:REQUIRING ALL VEHICLES APPROACHING THE LIMITS OF SAID HIGHWAY FROM INTERSECTING THOROUGHFARES TO COME TO A FULL STOP:PROVIDING FOR THE INSTALLATION OF STOP SIGNS AT SUCH INTERSECTING THOROUGH FARES:REQUIRING ALL VEHICLES TO STOP AT INTERSECTIONS DESIGNATED AND MARKED BY THE COMMON COUNCIL AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

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

Section 1. That the following named thoroughfares within the City of Bend be and theyhereby are designated as the line of route of the Dalles-California Highway within said City, to-wit;from the North City limits, South, on First Street to Deschutes Place, thence angling to the right on Deschutes Place to Hill street, thence South to Wall street, thence South on Wall street to Franklin Avenue, thence East on Franklin Avenue to Third street, thence South on Third street to the South City limits.

Section 2. The operator of any vehicle approaching the above described line of route from intersecting thoroughfares shall bring his vehicle to a full stop immediately before entering the limits of said line of route.

Section 3. The City shall forth with cause to be installed stop signs at the above designated intersections, said signs to be of a design approved by the State Highway Commission and located at points designated by the Commission's Engineer.

Section 4 The operator of any vehicle upon any public thorough fare in the City of Bend shall bring said vehicle to a full stop before entering any street intersection now or hereafter designated and marked by the Common Council as a stop intersection..

Section 5. Any person violating Sections(2) and(4) of this Ordinance shall upon conviction thereof be subject to a fine of not less than One Dollar nor more than Fifty Dollars or to imprisonment for not more than ten days or to both such fine and imprisonment.

Passed by the Common Council January 20, 1928;
Approved by the Mayor January 20, 1928;
ATTEST: Louis Bennett
Recorder.

R. H. Fox
Mayor.

Read 1st time Jan 6 - 1928.
Read 2nd time Feb. 3 - 28
Passed Feb. 3 - 28

ORDINANCE NO. 289

An Ordinance granting to The Shevlin-Hixon Company the right to install a 14-inch water pipe from a connection with the city main at Fifteenth Street and Cumberland Avenue, along Fifteenth Street to its premises, and to use water from the city supply for fire protection and emergency purposes, prescribing the terms of such use, and authorizing the Bend Water Board and the Mayor on behalf of the City of Bend to execute a contract with The Shevlin-Hixon Company with reference to such pipe and water supply.

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

1. That upon paying to the Bend Water Board the sum of $5000.00, and executing the contract hereinafter provided for, The Shevlin-Hixon Company shall have the right to install a fourteen-inch water pipe from a connection thereof with the city main at Fifteenth Street and Cumberland Avenue, thence along Fifteenth Street to the premises constituting its manufacturing site, with such extensions and branches, and such connections with its private water system, as it may desire to make on its own premises, and the further right to use city water through said pipe for fire protection and emergency purposes, on and subject to the terms and conditions to be contained in the contract hereinafter provided for.

2. Upon payment of said sum of $5000.00 by The Shevlin-Hixon Company to the Bend Water Board, the said Board, and the Mayor, acting in the name and on behalf of the City of Bend, shall be, and they are hereby, authorized to enter into a written agreement with The Shevlin-Hixon Company, which by its terms shall permit The Shevlin-Hixon Company to install such pipe, extensions, branches and connections, and shall give it, its successors and assigns, the right to use city water through said pipe for fire protection on and adjacent to its said premises,

and for emergency use as a plant supply for manufacturing purposes, such emergency use to be allowed only when the private pumping system on said premises is shut down by reason of accident or for repairs, and to continue only so long as may be reasonably necessary to restore said private system to usable condition; such rights to continue, subject to payment of the rentals hereinafter provided, so long as TheShevlin-Hixon Company, its successors or assigns, may maintain a manufacturing plant on the said premises. Such agreement shall bind The Shevlin-Hixon Company, its successors and assigns, to pay for said rights (in addition to said down payment of $5000.00), an annual water rental of $100.00, payable in advance on or before the 1st day of February of each year, so long as it, its successors or assigns, shall maintain a manufacturing plant on said premises, and shall provide that in case of default in any such payment the City of Bend and/or the Bend Water Board shall have the rights and remedies provided generally by ordinance or by the rules and regulations of the Bend Water Board for defaults in payment of water rentals. Said agreement shall further provide that said pipe, extensions, branches and connections shall be installed and made in a good, thorough and safe manner, and in accordance with such directions as the ~~City Engineer~~ Bend Water Board may from time to time give, and that said water pipe, from its intersection with the city main to the boundary of said premises of The Shevlin-Hixon Company, shall be and remain the property of the City of Bend, subject to the right of use so given.

3. Said sum of $5000.00 when so paid, as well as said annual rentals, shall be deemed income of the City water system,and be disposed of accordingly.

4. The considerations so to be paid by The Shevlin-Hixon Company, its successors and assigns, are hereby declared to be a reasonable price and charge for the water so to be furnished and used.

5. This ordinance shall be in full force and effect from and after its passage by the Common council and approval by the Mayor.

Passed by the Common Council, ~~January~~ Feb. 3, 1928;

Approved by the Mayor, ~~January~~ Feb. 3, 1928;

P. H. Fox
Mayor.

ATTEST: Louis Bennett
City Recorder.

ORDINANCE NO. 290

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $32,407.40 ; PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS ATTACHED THERETO; APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Bend has proceeded to improve certain streets and parts of streets embraced in Local Improvement Districts Nos. 100, 101 and 102 in the City of Bend, Oregon, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of $10.00 or more, aggregating in all the sum of $32,407.40 , have within twenty days after notice of such assessments were first published, filed with the Recorder of said City written applications to pay said assessments in installments, and each and all of which applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets for which said assessment was levied, and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contain a provision that the said applicant and property owner agrees to pay said assessment in twenty semi-annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvements; and

WHEREAS, each and all of said applications contain a statement by lots or blocks, or other convenient description, of the property of the applicant assessed for such improvement; and

WHEREAS, in no application received as aforesaid did the amount of such assessment with any previous assessment for street

Read 1st time Feb. 3, '38
Read 2nd time Feb. 3-'38 & passed,

or sewer improvements assessed against the same property and remaining unpaid, equal or exceed the valuation of said property as shown by the last tax roll of Deschutes County in which it is situated; and

WHEREAS, the City Recorder, who is charged with keeping the records of said City, has kept all such applications as are hereinbefore specified, in convenient form for examination in the manner provided by law; that is to say, the applications received for each street improvement have been kpet separate and the City Recorder has also entered in a book kept for that purpose, under separate heads for each application, the name of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, at the time and in the manner provided by law, that is to say, after the expiration of the time for filing applications for the payment of assessments for improvement or streets or laying of sewers by installments, as provided by law, the City Recorder has entered in a docket kept for that purpose under separate heads for each street or sewer by name or number, a description of each lot, parcel of land or other property against which such assessment is made or which bears or is chargeable for the cost of such improvement or sewer, with the name of the owner and the amount of such unpaid assessment; and

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been regularly done and performed in the manner and at the times required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEND AS FOLLOWS:

Section 1. That the City of Bend do issue bonds in the name of and under the corporate seal of said City in the aggregate amount of

$32,407.40, in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed as shown by said bond lien docket, said bonds to bear date February 1, 1928 to be numbered 1 to 65 inclusive, all for $500.00 each, except bond No. 1 for $407.40, said bonds to be signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City to be affixed thereto, and said bonds shall by the terms thereof mature in ten years from the date thereof and be payable in gold coin of the United States and bear interest at the rate of six per cent (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed or engraved thereon; PROVIDED, the right to take up and cancel each and all of said bonds, or any thereof, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and is hereby vested in such City, which bonds, together with interest thereon shall be payable at the Fiscal Agency of the State of Oregon in New York City and shall be known as "City of Bend Improvement Bond, Series 1928."

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that Bond No. 1 shall be in the principal sum of $407.40, and the coupons thereto attached in the sum of $12.22, to-wit:

No._____ $500.00

UNITED STATES OF AMERICA

STATE OF OREGON

COUNTY OF DESCHUTES

CITY OF BEND IMPROVEMENT BOND

SERIES 1928

KNOW ALL MENBBY THESE PRESENTS, that City of Bend, in the County of Deschutes, State of Oregon, for value received, hereby agrees and promises to pay to the bearer the sum of

FIVE HUNDRED DOLLARS

in gold coin of the United States on the presentation and surrender of this obligation on the ____ day of _____ 19____ without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the City of Bend that this bond will be taken up and cancelled and that interest thereon will cease at the interest payment period next following such publication, at the rate of six per cent (6%) per annum, payable semi-annually in like gold coin on the first day of August and February of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the Fiscal Agency of the State of Oregon in New York City.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements, and is an obligation of City of Bend aforesaid, and is not to be deemed or taken to be within or any part of the indebtedness of such City, and it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

This bond is redeemable at the Fiscal Agency of the State of Oregon in New York City at the option of the City of Bend upon the payment of the face amount thereof with accrued interest thereon to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided by law.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, This bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of February, 1928.

R. H. Fox
Mayor

Countersigned

Louis Bennett,

Recorder.

COUPON

No._____ $15.00

CITY OF BEND, STATE OF OREGON

Will pay to bearer on the _____ day of _____,19___ in gold coin of the United States at the Fiscal Agency of the State of Oregon in New York City

FIFTEEN DOLLARS

being six months' interest on Improvement Bond, Series 1928 No._____ unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

R. H. Fox

Countersigned: Mayor

Louis Bennett,

Recorder

Section 3. The sale of the aforesaid bonds heretofore made to Carl E. Nelson of Salem, Oregon, at par plus accrued interest, and the total premium of $10.00, is hereby ratified, approved and confirmed, same being the best price obtainable therefor, and the proper city officials are hereby authorized, empowered and instructed to see to the proper execution and delivery of said bonds to said purchaser upon payment of the purchase price therefor.

Section 4. WHEREAS, it is necessary for the safety of said City and the inhabitants thereof, that the improvement of the aforesaid streets be made at once, and in order so to do it is necessary to enact this ordinance;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall go into force and effect upon its adoption and approval.

Passed by the Council this 3rd day of February, 1928 by the following vote:

YEAS 4

NAYS 0

Submitted to the Mayor this 3rd day of February, 1928.

Approved by the Mayor this 3rd day of February, 1928.

Attest: Louis Bennett
Recorder

R. H. Fox
Mayor