The ordinances in this book No. 5, show the 1929 codification. Certain references are made to other books. These books are as follows:-

No. 1 The codification of February 3, 1914 covering ordinances numbered 1 to 49 inclusive.

No. 2 Ordinances of Bend adopted since the 1914 codification and being ordinances numbered 50 to 170 inclusive.

No. 3 Ordinances continued numbered 171 to inclusive.

No. 4 The codification of March 14, 1929, being ordinances numbered New Series (NS) 1 to date and being the current ordinances.

No. 5 This book being the present compilation of City Ordinances, numbers 1 to 91 inclusive are given by title only and reference made to the original ordinance in one of the other books.

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ORDINANCE NUMBER (N.S.) 1 Book 1 - Ord. 6

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

ORDINANCE NUMBER (N.S.) 2 Book 1 - Ord. 7

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

ORDINANCE NUMBER (N.S.) 3 Book 1 - Ord. 8

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

ORDINANCE NUMBER (N.S.) 4 Book 1 - Ord. 10

An ordinance authorizing and empowering the Bend Water, Light and Power Company (an Oregon corporation), its successors and assigns, to construct, operate and maintain a system or systems of poles, wires and other necessary or convenient structures, apparatus, applicances and appurtenances, over, along, upon and under any and all streets, avenues, alleys and public ways for a period of thirty years, in the Lytle Acre Tracts, being more specifically described as the NE¼ of the NE¼ of Section 32, in Township 18, South of Range 12 East, W. M., and in Wiestoria, according to the recorded plat thereof now on file in the office of the County Clerk in and for Crook County, Oregon, all of which said territories lie within the corporate limits of said City of Bend, for the purpose of furnishing to the public, the citizens, buildings and streets of said tracts of land and said additions to said City, electric light and electric power.

ORDINANCE NUMBER (N.S.) 5 Book 1 - Ord. 11

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

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

for the storage of petroleum and its products.

ORDINANCE NUMBER (N.S.) 6 Book 1 - Ord. 13

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

ORDINANCE NUMBER (N.S.) 7 Book 2 - Ord. 55

An ordinance giving and granting unto the Bend Flour Mill Company, an Oregon corporation, and its successors and assigns, a franchise right and privilege to erect, construct, operate, maintain, use and remove poles, wires and other necessary and convenient structures, apparatus, appliances and appurtenances, for the transmission of electricity for lighting and power purposes, for its private use, over along and upon the following described streets and avenues in the City of Bend, Crook County, Oregon, to-wit:- commencing at the intersection of North Division Street and the old County Road at the north line of Lytle Addition to Bend, Oregon, and following along and upon said North Division Street in a southerly direction to the intersection of said North Division Street with Cross Avenue, thence westerly along and upon said Cross Avenue to the intersection of said Cross Avenue with North Hill Street, thence southerly along and upon said North Hill Street to its intersection with North Wall Street, thence along and upon said North Wall Street to its intersection with North Bond Street, thence in a Northwesterly direction from North Wall Street along and upon the extension of North Bond Street now being graded to the plant of the Bend Flour Mill Company.

ORDINANCE NUMBER (N.S.) 8 Book 2 - Ord. 58

An ordinance authorizing and empowering the Oregon Trunk Railway, a corporation, its successors and assigns, to construct, operate and maintain a system of railway tracks connecting with its main line tracks south of Koa Avenue and extending to and across the Deschutes River and over, along and upon the intervening streets, alleys and public and private lands, including over, along and upon the southerly half of Alder Street in Bend, Crook County, Oregon.

ORDINANCE NUMBER (N.S.) 9 Book 2 - Ord. 63

An ordinance approving and confirming assignment of Oregon Trunk Railway, a corporation, executed July 1st, 1915, and acknowledged July 3rd, 1915, unto Deschutes Railroad Company of that certain ordinance and franchise of the City of Bend, Oregon, wherein and whereby said Oregon Trunk Railway its successors and assigns, is authorized and empowered to construct, operate and maintain a system of railroad tracks connecting with its main line tracks South of Koa Avenue and extending to and across the Deschutes River and over, along and upon the intervening streets, alleys and public and private lands, including over, along and upon Alder Street, in Bend, Crook County, Oregon.

ORDINANCE NUMBER (N.S.) 10 Book 2 - Ord. 66

An ordinance authorizing and empowering the Oregon Trunk Railway, a corporation, its successors and assigns to construct, operate and maintain a system of railway tracks connecting with its main line tracks south of Koa Avenue and extending to the logging railroad tracks of the Brooks-Scanlon Lumber Company on the east bank of the Deschutes River in Section Five (5), Township Eighteen (18) South Range Twelve (12) East Willamette Meridian, and over, along and upon the intervening streets, alleys, public and private lands, including over, along, upon and across Edgewater Avenue at a point north of Lots Two (2) Three (3) and Four (4) of Block One Hundred thirty-eight (138) of the Second Addition to Bend Park, according to the recorded plat thereof, now on file in the office of the County Clerk in and for Crook County, Oregon, and over, along, upon and across the alley in said Block One Hundred thirty-eight (138) and over, along, upon and across Taft Avenue and First Street in said second addition to Bend Park at a point southerly and westerly of Lots Ten (10) and Eleven (11) of said Block One Hundred thirty-eight (138) of the Second Addition to Bend Park in Crook County, Oregon.

ORDINANCE NUMBER (N.S.) 11 Book 2 - Ord. 91

An ordinance authorizing and empowering Oregon Trunk Railway and Deschutes Railroad Company, their successors and assigns, to construct, maintain, and operate a line of poles, wires, and other apparatus and appliances for the purpose of connecting the city offices of the Western Union Telegraph Company in the City of Bend with the telegraph wires maintained and constructed along and upon the right of way of said railway companies in and through the City of Bend, Oregon.

ORDINANCE NUMBER (N.S.) 12 Book 3 - Ord. 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

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to execute a contract with The Shevlin-Hixon Company with reference to such pipe and water supply.

ORDINANCE NUMBER (N.S.) 13 — Book 1 - Ord. 15
An ordinance vacating certain parts of the plat of Bend, Oregon.

ORDINANCE NUMBER (N.S.) 14 — Book 1 - Ord. 16
An ordinance vacating certain streets and alleys in the City of Bend, Oregon.

ORDINANCE NUMBER (N.S.) 15 — Book 1 - Ord. 17
An ordinance vacating certain parts of Block Twenty-four (24) of the original City of Bend.

ORDINANCE NUMBER (N.S.) 16 — Book 1 - Ord. 18
An ordinance vacating certain streets and alleys in the Townsite of Lytle, now a part of the City of Bend.

ORDINANCE NUMBER (N.S.) 17 — Book 1 - Ord. 19
An ordinance vacating certain parts of Lots 1 and 13, Block 2; Block 1; Lots 1 and 17, Block 7; Block 8; Lots 9 to 16, Block 9; all in Wiestoria, and Lots 1 to 6, Block 16; Lots 1 to 6, Block 17; and Lots 1 to 8, Block 32, of Center Addition.

ORDINANCE NUMBER (N.S.) 18 — Book 2 - Ord. 52
An ordinance vacating certain portions of Washington Street, lying north of Block twenty-four of Park Addition to Bend, Oregon.

ORDINANCE NUMBER (N.S.) 19 — Book 2 - Ord. 74
An ordinance vacating portions of Greenwood Avenue lying west of Wall Street in the City of Bend.

ORDINANCE NUMBER (N.S.) 20 — Book 2 - Ord. 86
An ordinance vacating certain portions of Highland Addition to Bend, Oregon.

ORDINANCE NUMBER (N.S.) 21 — Book 2 - Ord. 117
An ordinance vacating certain portions of the plat of the Second Addition to Bend Park in the City of Bend, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 22 — Book 3 - Ord. 225
An ordinance vacating parts of certain streets and alleys within the City of Bend.

ORDINANCE NUMBER (N.S.) 23 — Book 3 - Ord. 230
An ordinance vacating that 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 portion 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 said Block Six (6).

ORDINANCE NUMBER (N.S.) 24 — Book 3 - Ord. 231
An ordinance vacating a portion of Broadway in the City of Bend.

ORDINANCE NUMBER (N.S.) 25 — Book 3 - Ord. 233
An ordinance vacating the alley in Block Seven (7) of Bend, Deschutes County, Oregon.

ORDINANCE NUMBER (N.S.) 26 — Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 27 — Book 3 - Ord. 241
An ordinance vacating a portion of First Street in the City of Bend, Deschutes County, Oregon.

ORDINANCE NUMBER (N.S.) 28 — Book 3 - Ord. 242
An ordinance vacating a portion of East Quimby Avenue in the City of Bend, Deschutes County, Oregon.

ORDINANCE NUMBER (N.S.) 29 Book 3 - Ord. 243½
An ordinance prescribing a public thoughfare in the City of Bend and naming the same Deschutes Place, and Declaring an Emergency.

ORDINANCE NUMBER (N.S.) 30 Book 3 - Ord. 244
An ordinance describing a public thoroughfare in the City of Bend and naming the same First Street, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 31 Book 3 - Ord. 251
An ordinance vacating a portion of Roanoke Avenue in the City of Bend, Deschutes County, Oregon, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 32 Book 3 - Ord. 252
An ordinance vacating a portion of the plat of Second Addition to Bend Park, in the City of Bend, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 33 Book 3 - Ord. 260
An ordinance vacating that portion of the plat of Second Addition to Bend Park situated in the Southwest quarter of the Southeast quarter of Sec. 5, T 18 S., R. 12 E., W. M., in the City of Bend, Deschutes County, Oregon.

ORDINANCE NUMBER (N.S.) 34 Book 3 - Ord. 272
An ordinance vacating the alley extending east and west in Block Nine (9) in Highland Addition to Bend.

ORDINANCE NUMBER (N.S.) 35 Book 3 - Ord. 274
An ordinance vacating a portion of West Tenth Street, between Newport Avenue and Quincy Avenue, in the City of Bend, Deschutes County, Oregon.

ORDINANCE NUMBER (N.S.) 36 Book 3 - Ord. 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 and 11th streets; preserving to the City of Bend the right to construct and maintain water conduits in said land.

ORDINANCE NUMBER (N.S.) 37 Book 1 - Ord. 21
An ordinance to establish, prescribe and fix building grades of Wall street between North Bond street and Washington street; of Front street between the south side of Oregon street extended and California street; of Bond street between Greenwood avenue and California street; of Harriman street and North Harriman street between the northerly side of Fir avenue, at its intersection with North Harriman street, and Ohio street; of Hill street and North Hill street between Fir avenue and Ohio street; of Division street and North Division street between the south side of Evergreen avenue and Ohio street; of Fir avenue between North Harriman street and North Division street; of Greenwood avenue between the easterly side of Lot 1 in Block 2, of Bend, and Division street; of Hawthorne avenue between Oregon street and Division street; of Oregon street between the alley intersecting blocks 2 and 3 of Bend and Division street; of Minnesota street between Wall street and Lava Road; of Juniper avenue between Harriman street and Division street; of Ohio street between Front street and Division street; of Kentucky street between Front street and Lava Road; of California street between Front street and a point 140 feet easterly of Bond street, of the City of Bend, according to the official map thereof approved by the Common Council.

ORDINANCE NUMBER (N.S.) 38 Book 2 - Ord. 59
An ordinance to establish, prescribe and fix building grades on Alder street in Bend, Oregon.

ORDINANCE NUMBER (N.S.) 39 Book 2 - Ord. 94
An ordinance to establish, fix and prescribe building grades on West Fifth Street, from Newport Avenue to Trenton Avenue; and on Wall Street and Broadway in the City of Bend and to repeal all ordinances or parts of ordinances in conflict therewith.

ORDINANCE NUMBER (N.S.) 40 Book 1 - Ord. 30
An ordinance providing for the issuance of sewerage bonds by the City of Bend, Oregon, in the amount of Sixty Thousand Dollars.

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ORDINANCE NUMBER (N.S.) 41 Book 2 - Ord. 80

An ordinance authorizing the issuance, execution and delivery to the purchasers of Thirty-five Thousand Dollars ($35,000) negotiable coupon bonds of the City of Bend, Crook County, Oregon, for the purpose of borrowing money with which to build and equip a railroad within and without the boundaries of the City for the benefit and use of the inhabitants thereof, and for profit; prescribing the form of said bonds and fixing the details of the issue, and providing for the levy, assessment and collection of a direct annual ad valorem tax upon all of the taxable property of said City, in addition to all other taxes, sufficient to create a fund with which to pay the interest accruing on said bonds when and as the same become due and to establish a sinking fund with which to discharge the principal thereof at maturity.

ORDINANCE NUMBER (N.S.) 42 Book 2 - Ord. 100

An ordinance authorizing and directing the issuance, execution and delivery of Seventeen Thousand, Five Hundred Dollars ($17,500) General Obligation Funding Bonds, of, for and on behalf of the City of Bend, Deschutes County, Oregon, for the purpose of funding, cancelling, paying and redeeming the outstanding warrant indebtedness of said City evidenced by warrants heretofore legally issued and validated and approved and authorized to be funded by Section 22 of Chapter XXI of the Charter of said City, adopted at an election held April 30th, A.D. 1917, together with interest on said indebtedness from the date of registration of said warrants to date of payment thereof; prescribing the form of said Bonds and fixing the details of the issue thereof and providing for the levy, assessment and collection of a direct annual ad valorem tax upon all the taxable property of said City, in addition to all other taxes, sufficient to create a fund with which to pay the interest accruing upon said bonds promptly, when and as the same becomes due, and to establish a sinkind fund, with which to discharge the principal thereof at maturity, repealing all ordinances, resolutions or orders or any parts thereof in conflict herewith, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 43 Book 2 - Ord. 112

An ordinance to provide for the issuance of City of Bend Fire Equipment Bonds in the sum of Twenty Thousand Dollars for the purpose of procuring funds to be used in the purchase and acquisition by the City of Bend of a fire engine, hose, siren and other necessary equipment in connection therewith, providing and approving the form of said bonds and the coupons attached thereto, providing for the sale of said bonds and the delivery to the purchaser thereof.

ORDINANCE NUMBER (N.S.) 44 Book 2 - Ord. 138

An ordinance providing for the issuance and sale of Improvement Bonds of the City of Bend, Oregon, in the sum of $1453.72, providing for the form of said bonds and the coupons attached thereto, and approving and ratifying the sale thereof.

ORDINANCE NUMBER (N.S.) 45 Book 2 - Ord. 153

An ordinance to provide for the issuing of City of Bend Funding Gold Notes in the sum of Twenty Five Thousand ($25,000) Dollars for the purpose of procuring funds with which to fund outstanding warrants of the City of Bend in a like amount, providing and approving the form of the notes to be issued and the coupons attached thereto, providing for the sale of said notes and the delivery thereof.

ORDINANCE NUMBER (N.S.) 46 Book 2 - Ord. 154

An ordinance to provide for the issuance of bonds by the City of Bend, Deschutes County, Oregon, in the sum of $5,000.00 to provide a revolving fund for the purpose of making loans to other funds from time to time to meet temporary deficits therein, providing for the form of the bonds to be issued and the coupons attached thereto, ratifying, confirming and approving the sale of said bonds.

ORDINANCE NUMBER (N.S.) 47 Book 3 - Ord. 175

An ordinance to provide for the issuance of bonds by the City of Bend, Deschutes County, Oregon, in the sum of Twenty-one Thousand Dollars ($21,000) for procuring funds for the purchase of land for City park purposes, providing for the form of the bonds to be issued and the coupons attached thereto, ratifying, confirming and approving the issue of said bonds.

ORDINANCE NUMBER (N.S.) 48 Book 3 - Ord. 183

An ordinance providing for the issuance of Improvement Bonds

of the City of Bend, Oregon, in the sum of $5,503.50, providing and approving the form of the bonds to be issued and the coupons attached thereto; providing for the approving, ratifying and confirming the sale of said bonds.

ORDINANCE NUMBER (N.S.) 49 Book 3 - Ored. 200

An ordinance providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $3,921.05, 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.

ORDINANCE NUMBER (N.S.) 50 Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 51 Book 3 - Ord. 206

An ordinance providing for the issuance of Improvment Bonds of the City of Bend, Oregon, in the sum of $19,714.62 , 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.

ORDINANCE NUMBER (N.S.) 52 Book 3 - Ored. 208

An ordinance providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $30,268.46, 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.

ORDINANCE NUMBER (N.S.) 53 Book 3 - Ord. 210

An ordinance providing for the issuance of Improvement Bonds of the City of Bend, Oregon, 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, in the sum of $5,006.81.

ORDINANCE NUMBER (N.S.) 54 Book 3 - Ord. 229

An ordinance providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $110,021.70, 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.

ORDINANCE NUMBER (N.S.) 55 Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 56 Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 57 Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 58 Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 59 Book 3 - Ord. 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.

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ORDINANCE NUMBER (N.S.) 60 Book 3 - 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.

ORDINANCE NUMBER (N.S.) 61 Book 3 - Ord. 278

An ordinance providing for the issuance of Improvement Bonds of Bend, Oregon, in the sum of $1,563.09; 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.

ORDINANCE NUMBER (N.S.) 62 Book 3 - Ord. 286

An ordinance providing for the issuance of Improvement Bonds of the City of Bend, Oregon, in the sum of $8,171.42; 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.

ORDINANCE NUMBER (N.S.) 63 Book 3 - Ord. 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 and ratifying and confirming the sale of said bonds.

ORDINANCE NUMBER (N.S.) 64 Book 2 - Ord. 141

An ordinance to provide for the improvement of Newport Avenue from the west line of the Deschutes River to the west line of West Sixth Street to be known as Local Improvement No. 10, establishing Local Improvement District Number 10, Specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 64½ Book 2 - Ord. 142

An ordinance to provide for the improvement of Awbrey Road from Newport Avenue to Portland Avenue to be known as Local Improvement No. 11, establishing Local Improvement District Number 11, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 65 Book 2 - Ord. 143

An ordinance to provide for the improvement of West Fifth Street from Newport Avenue to Saginaw Avenue to be known as Local Improvement No. 12, establishing Local Improvement District Number 12, specifying the property specially benefited and to be assessed for the cos cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 66 Book 2 - Ord. 144

An ordinance to provide for the improvement of Drake Road from Newport Avenue to the angle in Drake Road, located 105 feet west of the west line of W. Sixth Street, to be known as Local Improvement No. 13, establishing Local Improvement District Number 13, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 67 Book 2 - Ord. 145

An ordinance to provide for the improvement of Wall Street from Franklin Avenue to the South line of Idaho Avenue to be known as Local Improvement No. 14, establishing Local Improvement District Number 14, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 68 Book 2 - Ord. 146

An ordinance to provide for the improvement of Greenwood Avenue from Division Street to Fourth Street to be known as Local Improvement No. 16, establishing Local Improvement District Number 16, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 69 Book 2 - Ord. 147

An ordinance to provide for the improvement of Wall Street opposite Block Nine (9) and Block Eleven (11) of the plat of Bend, Deschutes County, Oregon, to be known as Improvement Number 17 and establishing Local Improvement District Number 17, specifying the property specially benefited, and to be assessed for the cost of the aforesaid improvement, providing for advertising for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 70 Book 2 - Ord. 148

An ordinance to provide for the improvement of Bond Street from Minnesota Avenue to Franklin Avenue, to be known as Local Improvement Number 18, and establishing Local Improvement District Number 18, specifying the property specially benefited, and to be assessed for the cost of the aforesaid improvement, providing for advertising for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 71 Book 2 - Ord. 149

An ordinance to provide for the improvement of the south side of Greenwood Avenue between Wall Street and and the alley east of Wall Street, also south side of Greenwood Avenue opposite the easterly 32.4 feet of Lot 1 Block 13, Plat of Bend, also north side of Greenwood Avenue opposite Blocks 23 and 24, Plat of Bend, to be known as Local Improvement Number 19, and establishing Local Improvement District Number 19, specifying the property specially benefited, and to be assessed for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 72 Book 2 - Ord. 150

An ordinance to provide for the improvement of the north side of Oregon Avenue from Wall Street to the alley east of Wall Street, City of Bend, Oregon, to be known as Local Improvement Number 20 and establishing Local Improvement District Number 20, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement; providing for advertising for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 73 Book 2 - Ord. 151

An ordinance to provide for the improvement of the south side of Minnesota Avenue from Wall Street to Bond Street of the plat of Bend, Deschutes County, Oregon, to be known as Improvement Number 21, and establishing Local Improvement District Number 21, specifying the property specially benefited, and to be assessed for the cost of the aforesaid improvement, providing for advertising for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 74 Book 2 - Ord. 152

An ordinance to provide for the improvement of the north side of Franklin Avenue from Bond Street to Wall Street, City of Bend, Deschutes County, Oregon, to be known as Improvement Number 22, and establishing Local Improvement District Number 22, specifying the property specially benefited, and to be assessed for the cost of the aforesaid improvement, providing for advertising for bids for the making of the aforesaid improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 75 Book 2 - Ord. 155

An ordinance providing for the construction of the west central main and sewer laterals, Numbers 44-45 and 46, specifying the property specially benefited and to be assessed for the cost of the aforesaid sewers, providing for advertising for bids for the construction of aforesaid sewers and declaring an emergency.

ORDINANCE NUMBER (NS.S) 76 Book 2 - Ord. 156

An ordinance providing for the construction of sewer lateral No. 27, specifying the property specially benefited and to be assessed for the cost of the aforesaid sewer, providing for the advertising for bids for the construction of aforesaid sewer and declaring an emergency.

ORDINANCE NUMBER (NS.S) 77 Book 2 - Ord. 157

An ordinance providing for the construction of Sewer Lateral No. 30, specifying the property specially benefited and to be assessed for the cost of the aforesaid sewer, providing for advertising for bids for the construction of aforesaid sewer and declaring an emergency.

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ORDINANCE NUMBER (N.S.) 78 Book 2 - Ord. 164

An ordinance to provide for the improvement of Third Street from East Irving Avenue to the South end of the Pilot Butte Canal Bridge between East Quimby Avenue and Revere Avenue in the City of Bend, Deschutes County, Oregon, to be known as Improvement Number 29, establishing Local Improvement District Number 29, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement and providing for advertising for bids for making the aforesaid improvement.

ORDINANCE NUMBER (N.S.) 79 Book 3 - Ord. 184

An ordinance to provide for the improvement of Wall Street from the southerly line of Vermont Place to the southerly line of Franklin Avenue in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 38, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 80 Book 3 - Ord. 185

An ordinance to provide for the improvement of Bond Street from the southerly line of Greenwood Avenue to the southerly line of Franklin Avenue in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 39, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 81 Book 3 - Ord. 186

An ordinance to provide for the improvement of Oregon Avenue from the west line of the alley next west of Wall Street to a line drawn from the Northwest corner of Harriman Street and Oregon Avenue at right angles to said Oregon Avenue in the City of Bend, Oregon, establishing for said purpose Local Improvement Distridt Number 41, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 82 Book3 - Ord. 187

An ordinance to provide for the improvement of Minnesota Avenue from the east line of Wall Street to the west line of the alley next east of Bond Street in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 42, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 83 Book 3 - Ord. 188

An ordinance to provide for the improvement of Franklin Avenue from the Westerly line of Broadway to the Westerly line of Bond Street in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 43, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 84 Book 3 - Ord. 189

An ordinance to provide for the improvement of The Alley in Blocks 3 and 4 of the Plat of Bend and extending from the northerly line of Franklin Avenue to the southerly line of Oregon Avenue in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 44, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 85 Book 3 - Ord. 190

An ordinance to provide for the improvement of Newport Avenue Bridge and approaches thereto, reaching from the southeasterly curb line of Drake Road, extended northeasterly, to the westerly line of Block 1 in the Plat of Bend, extended southerly in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 45, specifying the property specially benefited and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improve ment, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 86 Book 3 - Ord. 191

An ordinance to provide for the improvement of Greenwood Avenue from the westerly line of Block 1 in the plat of Bend, extended southerly, to the east line of Division St. in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 40, specifying the property specially benefitted and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 87 Book 3 - Ord. 192

An ordinance to provide for the improvement of Congress Street from the northerly line of Louisiana Avenue to a southerly limit formed by the southeasterly line of the alley in Block 13 of Park Addition (extended southwesterly) and the line between Lots 9 and 10 in Block 5 of Park Addition (extended easterly), produced to an intersection, the said limit being adjacent to the junction with St. Helens Place in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 46, specifying the property specially benefitted and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 88 Book 3 - Ord. 193

An ordinance to provide for the improvement of Delaware Avenue from the east line of Broadway to the west line of Hill Street in the City of Bend, Oregon, establishing for said purpose Local Improvement District Number 47, specifying the property specially benefitted and to be assessed for the cost of the aforesaid improvement, providing for the advertisement for bids for the making of the aforementioned improvement, and declaring an emergency.

ORDINANCE NUMBER (N.S.) 89 Book 3 - Ord. 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.

ORDINANCE NUMBER (N.S.) 90 Book 2 - Ord. 87

An ordinance naming certain Streets within the corporate limits of the City of Bend, providing for numbering the houses of the City of Bend, and repealing Ordinance No. 20 of the City of Bend.

ORDINANCE NUMBER (N.S.) 91 Book 3 - Ord. 266

An ordinance to change the name of Highland Boulevard in the City of Bend to Harmon Boulevard.

ORDINANCE NUMBER (N.S.) 92 Book 1 - Ord. 1

An ordinance prohibiting the signature as Surety by the Mayor, Manager, Recorder, Treasurer or any other officer, elective or appointive, of any bond required by Ordinance or otherwise, wherein the City of Bend is obligee.

The City of Bend does Ordain as follows:

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

ORDINANCE NUMBER (N.S.) 93 Book 1 - Ord. 5

An Ordinance adopting a seal for the City of Bend.

The City of Bend does Ordain as follows:

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

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

Book 1 - Ord. 25

ORDINANCE NUMBER (N.S.) 94 Book 3 - Ord. 256 & 273

An ordinance to provide and regulate the manner of constructing curbs and sidewalks upon the streets within the City of Bend; to prescribe the method of giving notice of sidewalk construction to the owner

of the abutting property; authorizing the construction of such sidewalks and curbs of the City in certain cases and providing that in such cases the expense of construction shall be a lien upon the abutting property and providing the method of enforcement of such lien. The City of Bend does Ordain as follows:

Section 1. All sidewalks hereafter constructed, repaired or altered within the City of Bend, shall be altered, constructed or repaired in accordance with the provisions of this Ordinance and not otherwise.

Section 2. Whenever the Commission shall consider it necessary that any sidewalk or curb be constructed, altered or repaired within the said City, the Commission shall cause said City Recorder to notify, by registered main, the record owner as shown by the latest record in the office of the Tax Collector of Deschutes County, Oregon, of the real estate abutting upon said proposed sidewalk or curb to proceed to make such improvement within thirty days from the date of receipt of such notice, as shown by the registered return card, and if he fails so to do, 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 can not be found upon the tax rolls of Deschutes County, Oregon, 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 hereinbefore provided, the City Manager shall require the City Engineer to forthwith furnish an estimate of the probable cost of said improvement, and when deemed necessary by said City Manager, plans and specifications thereof, and file the same with the City Recorder. The City Recorder shall thereupon invite bids of said construction of said proposed improvement and shall give ten days notice thereof by publication in a 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 where said bids shall be considered by the Commission, and that the Commission 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 or agreement, the consideration for each being specifically stated. The Commission may impose such conditions for the construction of said improvement as it deems necessary to protect the interests of the City and all interested property holders.

Section 5. The contract price, the right of way and expense, if any, of condemned land, together with all costs and accrued interest, if any, shall be deemed to be the cost of such sidewalk or curb 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 benefited 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 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 objections to such apportionment that may be made, must be made in writing to the Commission and filed with the City Recorder within ten days from the publication of such notice, and that the same will be heard by the Commission 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 Commission shall consider said proposed assessment and the objections made thereto, if any, and shall have the power at its discretion and without further notice to consider, ascertain and decide whether 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 6 hereof, and the assessment against each such lot or tract of land shall be reduced or increased by the Commission so as to conform with the provisions of said Section 6, if there be any error in the computation of the City Engineer. After the Commission shall have ascertained the just apportionment of said

cost in accordance with the provisions of said Section 8, it shall declare said assessment by resolution, and direct the Recorder to enter into the Docket of City Liens a statement thereof, containing:

First: A description of each lot or tract of land liable for such improvement.

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

Third: The sum assessed upon said property, and the date of entering the same in the said Docket of City Liens, but such date need be made but once for all entries made upon the same day.

Section 8. The subsequent proceedings relating to said assessments, shall be as provided in Sections 14-24 both inclusive of Chapter Eight of the Charter of the City of Bend.

Section 9. Any person or corporation, other than the City of Bend, proposing the construction of cement sidewalks or curb and/or both upon any public thorough-fare or public ground in the City of Bend shall first make application to the City Manager for permission to do so.

Section 10. The City Manager shall thereupon grant permission and require the City Engineer to furnish to the applicant without charge, to the City, the data from which the grade, location and width of the proposed improvement shall be determined.

Section 11. No cement sidewalk and/or curb shall be constructed upon any public thorough-fare or public grounds within the City of Bend except upon Order of the Commission, until application for a permit therefor is made as provided by Section 9 hereof and shall be located and constructed as prescribed by the City Engineer.

Section 12. Any person found guilty of violating any of the provisions of this Ordinance shall be subject to a fine of not less than $5.00 nor more than $100.00.

ORDINANCE NUMBER (N.S.) 95 Book 1 - Ord. 32

An Ordinance to prohibit the practice of gambling and providing a penalty for the violation thereof.

The City of Bend does Ordain as follows:

Section 1. Each and every person who shall deal, carry on or play, as owner, proprietor or employee whether for hire or not, any game of farro, monte, rollette, poker or any game played with cards, dice or any other device, for any representative of value, shall be guilty of a misdemeanor and upon conviction thereof before the municipal Judge shall be punished by a fine not exceeding Fifty Dollars, or by imprisonment in the City Jail not to exceed twenty days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 96 Book 2 - Ord. 67

An Ordinance regulating and providing for the removal of snow and ice from the sidewalks within the fire limits of the City of Bend and prescribing the method of enforcement thereof.

The City of Bend does Ordain as follows:

Section 1. That any person or persons, firm or corporation owning or having control of any real property within the fire limits of the City of Bend, as now constituted, or as hereafter may be constituted, which has a sidewalk or sidewalks or parts of sidewalks abutting upon or along such real property, lot or lots or parcel of land, shall keep such sidewalk or sidewalks or parts thereof, free and clear of snow and/or ice. That such sidewalk shall be cleaned within twelve hours after any snow shall fall thereon, and/or any ice become collected thereon, but such snow and/or ice shall not be deposited or left in the gutters of the abutting streets and/or alleys.

Section 2. If any such owner shall fail, neglect or refuse to clean such sidewalks as herein provided, within said time, then the City is authorized to have such sidewalks cleaned and charge the cost thereof to the owner of the property, and in case such owner or owners shall refuse to pay said charges within thirty days after notice of same has been given by the City Recorder, the same shall become a lien upon the property of the owner or owners against which said charges are made, and such lien may be enforced in the manner as is provided by Chapter Eight of the Charter of Bend for the enforcement of liens.

Section 3. The term "owner" as used herein, shall include all persons in the possession of any premises as herein described.

ORDINANCE NUMBER (N.S.) 97 Book 2 - Ord. 68

An Ordinance regulating and providing for the removal and preventing the accumulation of garbage, offal, filth, waste, rubbish and/or refuse matter on private or public property, including streets and alleys within the City of Bend, requiring the owner or occupant of the premises to remove or destroy the same upon notice and provid-

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ing for the enforcement thereof, and providing for the removal thereof by the City of Bend in case of failure or refusal by the occupant or owner, and provided that in such cases the expenses thereof shall become a lien upon the property involved, providing the method of enforcement of such a lien and providing a penalty for the violation of such Ordinance.

The City of Bend does Ordain as follows:

Section 1. That hereafter when in the judgment of the City Manager any premises or any portions thereof, or that half of any alley, street or public way shall be in an insanitary condition by reason of the accumulation of any garbage, offal, filth or waste, or shall be in an unsafe or dangerous condition for fire by reason of the accumulation of any rubbish, boxes or other waste, said City Manager shall order written notices to be served upon the owner or occupant, or the agent of such owner or occupant of any such premises requiring said owner, occupant or agent of any such owner or occupant to destroy or remove such garbage, offal, filth, waste, rubbish or other refuse matter forthwith.

Section 2. It shall be unlawful for the owner or occupant, or the agent of such owner or occupant, of any premises with the City of Bend after receiving the notice as provided in Section 1 of this Ordinance to allow any litter or accumulation of garbage, offal, filth, waste, rubbish or other refuse matter to remain on any portion of the premises, occupied or controlled by said owner or occupant, or the agent of such owner or occupant or upon that half of any alley, street or public way adjoined thereto.

Section 3. If any such owner or occupant, or agent of such owner or occupant shall fail, neglect or refuse to remove such garbage, offal, filth, waste, rubbish or other refuse matter from any such premises, streets, alley or public way upon receiving the notice as provided in Section 1 of this Ordinance, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $50.00; provided however, that in case of non-resident property owner, and in case of failure, neglect or refusal of the occupants or agents upon whom written notice may have been served to so remove such garbage, offal, filth, waste, rubbish or other refuse matter, then the City Manager shall cause such garbage, offal, filth, waste, rubbish or other refuse matter to be removed from such premises, street, alley or public way and charge the cost of such removal to the premises involved. The City Recorder shall thereupon notify the owner or occupant, or the agent of such owner or occupant of the amount of such cost, and if such owner or occupant or the agent of such owner or occupant shall fail or neglect to pay such costs within thirty days after the receipt of such notice, then the same shall become a lien upon any of such property involved, which lien shall be enforced in the manner provided in Chapter Eight, Charter of the City of Bend.

ORDINANCE NUMBER (N.S.) 98 Book 2 - Ord. 78

An Ordinance to provide for regulating the sale of ethyl alcohol within the City of Bend by druggists, pharmacists, or any other firm or corporation permitted under the laws of Oregon to sell such ethyl alcohol, and providing a penalty for the violation thereof.

The City of Bend does Ordain as follows:

Section 1. That it shall be unlawful for any druggist or registered pharmacist or any other person, firm or corporation permitted by law to sell ethyl alcohol, to sell or give away any ethyl alcohol in the City of Bend, Oregon, except as hereinafter provided.

Section 2. No druggist, registered pharmacist or any other person firm or corporation shall sell to any person, firm or corporation within the City of Bend any ethyl alcohol or diluted alcohol except the same first be denatured in accordance with the formulas sent out in the rulings of the United States Internal Revenue Department; provided however, that this section shall not prohibit physicians duly licensed to practice medicine in Oregon, from giving prescriptions for such ethyl alcohol in the manner as provided by law, nor the filling of such prescriptions by a registered pharmacist.

Section 3. Any person, firm or corporation violating the provisions of this Ordinance shall, upon conviction in the municipal Court, be subject to a fine of not exceeding Two Hundred Dollars, or imprisonment in the City Jail not to exceed one hundred days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 99 Book 2 - Ord. 109

An ordinance providing for the sprinkling of the streets, alleys and public ways of the City of Bend, or any portion thereof and for the application thereto of oil or other dust preventative, assessing

the cost thereof on the abutting property, providing a method of collecting the same and the cost.
The City of Bend does Ordain as follows:

Section 1. That the City Commission may by resolution order any street, alley or public way or any portion thereof with said City sprinkled or treated with oil or other dust preventative whenever in its judgment the same is necessary; and it shall order said improvement upon a petition representing a majority of the abutting frontage actually occupied by the owners thereof.

Section 2. Said imrprovement shall be done by contract let to the lowest responsible bidder, who shall execute a Surety Bond to the City of Bend in the amount of his contract, conditioned for the faithful performance thereof. No contract under this Ordinance shall be let until the City Recorder, by order of the Commission, shall have given five days notice thereof by publication in a newspaper published in said City, or by posting notices thereof in three public places for not less than five days prior to the time of letting said contract; said notices shall specify when and where the City Commission shall meet to consider said bids and that it reserves the right to reject any or all bids; provided that the work of said improvement may be permitted by the City directly by either deal, labor or force account.

Section 3. As soon as practicable after November 1st of each year, the City Engineer shall determine the proportion of the cost of said improvement for the year ending on said date, accruing to each lot, tract or part thereof, in proportion to its frontage upon the street or public way upon which the improvement is made and the proportion to the extent of said improvement made upon the street or public way in front of said lot, tract or part thereof and when said assessment is made the City Recorder shall cause to be published in one issue of a newspaper published in said City a notice to the effect that said assessment has been made, naming the streets or parts of streets affected, and that the same is on file in his office and that interested persons may file written objections thereto with the City Recorder at any time within five days from the date of said notice. After the expiration of said period the City Commission shall meet and consider any objections made to said assessments and may modify the same. When the City Commission shall have finally approved said assessment, it shall declare the same by resolution in one publication in a newspaper published in said City.

Section 4. At the time of the approval of such assessment the City Recorder shall enter in the Docket of City Liens a statement of all assessments contained in said resolution then unpaid, containing:

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

Second: The name of the owner or reputed owner thereof or that the name of the owner is unknown.

Third: The sum assessed upon said property and the date of entering the same in the said Docket of City Liens; but such date need not be given but once for all entries made therein on the same day.

Section 5. The subsequent proceedings for enforcing the payment of delinquent assessments for such street improvment shall be governed in all respects by the provisions of Chapter Eight of the Charter of the City of Bend.

Section 6. The moneys derived from said assessment shall be deposited in a special fund known as the "Sprinkling Fund".

ORDINANCE NUMBER (N.S.) 100 Book 2 - Ord. 118

An Ordinance declaring that open toilets; inclosures and/or buildings in which cattle or horses are confined shall constitute a nuisance, providing for the abatement of said nuisance and providing a penalty for the violation of this Ordinance.
The City of Bend does Ordain as follows:

Section 1. Whenever in the opinion of the Health Officer of the City of Bend an open toilet, any building or inclosure, wherein horses or cattle are confined, shall constitute a menace to the public health, the City Commission may declare the same to be a nuisance.

Section 2. Whenever such toilets, structures or inclosures shall have been declared a nuisance as provided in Section 1 hereof, the City Recorder shall notify the person maintaining the same to the effect that said nuisance must be abated within a period of five days or within such time as shall be reasonable in view of the circumstances of the particular case.

Section 3. In case the person maintaining said nuisance shall not abate the same within the time allowed, the City may forthwith proceed to abate said nuisance, charging the reasonable cost to the person maintaining the same.

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Section 4. Any person filaing to abate a nuisance as herein defined within the time allowed as above provided, shall be subject to a dine of not more than $25.00 or to imprisonment in the City Jail for not more than twenty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 101 Book 2 - Ord. 124

An Ordinance regulating the use of aisles, passage ways and stairways in theaters and public halls in the City of Bend and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. It shall be unlawful for the owner, lessee, manager or other person, firm or corporation, having charge of any theater or public hall to permit any person during a performance, exhibition, lecture, entertainment or public assembly therein to sit or remain standing in any aisle, passage-way, stairway or before any exit in or of such theater or public hall.

Section 2. It shall be unlawful for any person during a performance exhibition, lecture, entertainment or public assembly in any theater or public hall to sit or remain seated in any aisle, passage-way, stairway or before any exit in or of such theatrer or public hall.

Section 3. Any person, owner, lessee, manager or other person, firm or corporation violating any of the provisions of Section 1 of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not exceeding $100.00 or by imprisonment in the City Jail not exceeding fifty days or by both such fine and imprisonment.

Section 4. Any person found guilty of the violation of Section 2 of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof in the Municipal Court shall be punished by a fine not exceeding $25.00.

ORDINANCE NUMBER (N.S.) 102 Book 2 - Ord. 125

An Ordinance providing for the inspection of premises by the Fire Department, to safeguard the public and property against fire and to provide a penalty for the violation thereof.

The City of Bend does Ordain as follows:

Section 1. It shall be the duty of the Chief of the Fire Department to inspect or to cause to be inspected by Fire Department officers or members as often as may be necessary, but not less than twice a year in the residence district and four times a year in the business districts of the City, of buildings, premises and public thoroughfares for the purpose of ascertaining and causing to be corrected any condition liable to cause fire, or any violation of the provisions or intent of the orders of the City affecting the fire hazard.

Section 2. Whenever any officer or member of the Fire Department shall find in any building or upon any premises or other place combustible or explosive matter or dangerous accumulation of rubbish or unnecessary accumulation of waste-paper, boxes, shavings or any other highly inflamable matter, especially liable to fire or especially situated as to endanger property, or shall find obstruction to or on any fire-escape, stair, passage-way, door or windows liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, he shall order the same to be removed or remedied by the owner or occupant of such building subject to appeal within twenty-four hours thereafter to the City Manager who shall within ten days consider such order and file his decision thereon, and unless the order is revoked or modified it shall remain in full force and effect. Any owner or occupant failing to comply with such Order within ten days after said appeal shall have been determined, or if no appeal is taken, then within ten days after the service of said Order, shall be liable to a penalty as hereinafter specified.

Section 3. Service of any such Order shall be made upon the occupant of the premises to whom it is directed by either delivering a true copy thereof to such occupant personally, or by delivering the same to and leaving it with any person in charge of the premises or in case no such person is found upon the premises, by attaching a copy thereof in a conspecuous place on the door to the entrance of said premises.

Section 4. Any person or persons, firm or corporation violating any of the provisions of this Ordinance or any of its Sections, shall upon conviction pay a fine of not more than $25.00 for each offense and each days violation shall for the purpose of this Ordinance be deemed a separate offense.

ORDINANCE NUMBER (N.S.) 103 Book 2 - Ord.126

An Ordinance providing for the cleanliness of the streets, alleys and premises within the City of Bend and providing for thepenalty of the violation thereof.

The City of Bend does Ordain as follows:

Section 1. No person or persons shall allow to remain longer than thirty-six hours in any alley or on any sidewalk or premises, within thirty feet of any building, empty boxes, barrels, rubbish, trash, waste paper, excellsior or other like combustible materials.

Section 2. No person or persons shall be allowed to place ashes in any box, barrel or other wooden vessel within any building.

Section 3. No person shall keep or permit to be kept on the premises any oily waste or oily rags unless at all times when not actually in use, such oily waste and oily rags be kept in a metal can, standing on metal legs that raise the bottom of the container at least five inches above the floor.

Section 4. All owners or occupants of buildings are required to permit the Chief of the Fire Department to inspect their building to see if the above provisions are complied with and it is hereby made the duty of the Chief of the Fire Department to make such inspection whenever or wherever he may suspect a violation of this Ordinance.

Section 5. It shall be unlawful for any person, persons, firm and/or corporation, to deposit, or cause to be deposited, in any public street or alley of the City of Bend, any leaves, grass, saw-dust,refuse or other rubbish of any nature whatsoever.

Section 6. Any person found guilty of violation of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than $25.00.

ORDINANCE NUMBER (N.S.) 104 Book 2 - Ord. 130

An Ordinance requiring the removal of dangerous walls, buildings, chimneys, etc., within the City of Bend, and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. Whenever in the judgment of the Chief of the Fire Department any building or structure or any part thereof, or any appurtenance or fixtures thereto or any wall, chimney, smoke-stack, stove, oven, furnace or thing connected with such building or premises, shall be dangerous to persons or property or when any wooden building within the fire limits shall be damaged by fire or decay to the extent of 60 per cent of its actual value to be estimated above the line of sidewalk of said building, the Chief of the Fire Department shall immediately give notice in writing to the owner or owners of such premises or to his or their agent or to the person having control thereof, if the owner cannot be found, to remove the same forthwith, and the person receiving such notice shall within five days thereafter comply with the requirements thereof.

Section 2. Any person, firm, company or a corporation that violates or neglects or refuses to comply with, or that resists and opposes the execution of the provisions of this Ordinance, upon conviction thereof, shall be punished by a fine not exceeding $100.00, or by imprisonment in the City Jail for not more than twenty days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 105 Book 2 - Ord. 131

An Ordinance regulating exits of public buildings within the City of Bend and providing for a penalty for the violation thereof.

The City of Bend does Ordain as follows:

Section 1. All buildings used for public assemblages, whether in whole or in part, shall have the doors that are used for ingress or egress of the public so constructed that they shall open outwardly or inwardly and outwardly, and such doors and the main halls or passageways leading thereto shall not be less than five feet wide, and such doors shall be so constructed as to open with ease and afford an easy exit. All such buildings and halls shallhave all main aisles at least four feet wide and all exits to such buildings and halls shall be constructed and arranged to meet the approval of the Chief of the Fire Department. Any person, firm or corporation or association of people owning or occupying any such buildings or halls which do not conform with the provisions of this Section shall be notified by the Chief of Police of the City of Bend, said notice to be served in writing on the owner or agent of the owner of said buildings or halls or on the trustee of said association or corporation owning the same, or on either of them, to cause said buildings or halls to be so altered and/or repaired that they will conform to this Section within ten days from the date of the service of said notice, and if such alteration and/or repairs are not made within ten days from the service of said notice, the Chief of Police will cause said buildings or halls to be forthwith closed to the public and shall keep said building or halls closed untill the same are altered and/or repaired so as to conform to the provisions of this Section.

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Section 2. Any person, firm or corporation who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed $50.00 or by imprisonment in the City Jail not to exceed twenty-five days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 106 Book 2 - Ord. 132

An Ordinance regulating the storage and handling of gasoline in the City of Bend and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. No gasoline or distilate shall be stored or kept within the corporate limits of the City of Bend except the same be stored and handled in conformity to the provisions of this Ordinance.

Section 2. That whenever a greater quantity than five gallons of gasoline or distilate shall be stored or kept within the limits of the City of Bend by any persons, firm or corporation, except when the same shall be stored or kept in the tank of a motor propelled vehicle, said gasoline or distillate shall be stored in metal tanks of proper weight and thickness not less than four feet under ground and properly vented.

Section 3. Application to install storage tanks shall be made in writing to the City Manager who shall inspect the premises where such storage tank or tanks are to be located and after the same has met with his approval, he shall issue an installation permit in writing subject to his approval upon final inspection of the storage tank installation before the same has been buried.

Section 4. That when a greater quantity than one quart or a lesser quantity than five gallons of gasoline or distillate shall be stored or kept within the corporate limits of the City of Bend by any person, persons, firm or corporation, said gasoline or distillate shall be contained in a metal safety gasoline can, as approved by the National Board of Fire Underwriters.

Section 5. Any person, persons, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $25.00.

ORDINANCE NUMBER.(N.S.) 107 Book 2 - Ord. 133

An Ordinance regulating the burning of refuse within the City of Bend and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. It shall be unlawful for any person or persons to burn trash, lumber, leaves, straw or any other combustible material in any street, alley or lot within the corporate limits of the City of Bend except by permit issued in writing by the Chief of the Fire Department.

Section 2. Any person or persons found guilty of the violation of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not to exceed the sum of $25.00.

ORDINANCE NUMBER (N.S.) 108 Book 2 - Ord. 134

An Ordinance regulating the storage, sale and purchase of explosives within the City of Bend, providing for a license to users thereof within said City, and providing a penalty for the violation thereof.

The City of Bend does ordain as follows:

Section 1. It shall be unlawful to store or keep any dynamite, nitro-glycerine, giant powder, fulminating caps or any other explosive, other than gun powder, in any store room, ware-room or on any premises within the corporate limits of the City of Bend.

Section 2. It shall be unlawful to store or keep any explosive in excess of one pound in any store-room, ware-room, building or on any premises within said City, providing that not more than five pounds of gun powder may be kept inclosed in metal cans, when kept in a store rrom or ware-room in artificial heat or light, and provided further that not more than fifty pounds of gun powder may be kept in magazines made of fire-proof material or of wood covered with sheet iron and mounted on wheels and kept securely locked except when necessarily opened for use by authorized persons, and not more than one thousand blasting caps (fulminating caps) in a similar and separate magazine. Said magazine shall be conspicously labeled, in red letters at least four inches high, "EXPLOSIVES" and located within the building on the floor nearest the street level and within ten feet of the street entrance.

Section 3. Any person, firm or corporation who shall sell or store

gun powder shall obtain a permit from the City Manager, who shall inspect the place where the same is kept, and the dealer shall fully describe to said Manager where the same is kept, both in the day and in the night time.

Section 4. It shall be unlawful for any person, persons, firm and/or corporation to sell any explosive, as in this ordinance defined, to any other person, persons, firm and/or corporation, without having the purchaser receipt for such purchase in a book to be kept by the seller, the receipt to show the date of the purchase, to whom sold, the kind of explosive sold and the amount thereof, the purpose for which such explosive is intended to be used and the residence address of the purchaser, and such receipt book shall be, at all times, subject to inspection by the peace officers of the City.

Section 5. It shall be unlawful for any person, persons, firm and/or corporation to purchase and/or sell any such explosive for use within the corporate limits of the City unless such purchaser has a license to use such explosive within the City of Bend, such license to be issued by the City Manager upon a showing by the applicant that such applicant is a person competent to use such explosive, the applicant to pay the City of Bend the sum of Twenty Dollars therefore, and said license to be good for one year from the date thereof, provided, however, that any licensed drain-man will be issued the license herein provided for upon a showing that the license theretofore issued to him as such drain-man, is not in arrears of payment.

Section 6. Any person, persons, firm and/or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be fined in a sum of not more than Fifty Dollars.

ORDINANCE NUMBER (N.S.) 109 Book 2 - Ord. 135

An Ordinance providing for fire escapes within the City of Bend and providing for a penalty for the violation of this Ordinance. The City of Bend does Ordain as follows:

Section 1. All buildings, except private residences, already erected or that may hereafter be erected, of three or more stories in height, shall be provided with good and sufficient fire escapes which shall have a safe landing at each entrance to escape.

Section 2. Notice in writing shall be served by the Chief of the Fire Department upon the owner or owners of such building or buildings, by leaving at their place of business or residence a notice specifying the number, kind, location and construction of the fire escape required under this Ordinance and directing that the work shall be done not later than sixty days from the filing of the notice.

Section 3. The owner or owners of any building or buildings upon which a fire escape is erected shall keep the same in good repair.

Section 4. Any owner, owners, agent or lessee of any building violating any of the provisions of the above Ordinance or failing to comply with the terms thereof, upon conviction thereof shall be fined not more than $25.00 for each and every day the building may be unfurnished with such fire escapes after the expiration of the required notice.

ORDINANCE NUMBER (N.S.) 110 Book 3 - Ord. 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 and providing a penalty for the violation of this ordinance. The City of Bend does Ordain as follows;

Section 1. No toilet, other than such as is equipped with a flushing device 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 toilet 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 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 a flushing 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 ex-

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clude 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 conformity with his directions.

Section 5. It shall be unlawful for the owner or possessor of any premises within the City of Bend, or for the agent of such owner or possessor to permit to accumulate or exist thereon, any ashes, wastepaper, manure except for fertilizer, broken glass, broken ware, rubbish, tin 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. Any person violating any provision of this ordinance s shall be deemed guilty of a misdemeanor, and upon conviction thereof sahll be subject to a fine of not more than $25.00, or to imprisonment in the City jail for not more than ten days, or both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 111 Book 2 - Ord. 71

An ordinance regulating the construction, erection, raising, lowering, alteration, repair and use of buildings and to provide for protection against fire, and to definitely establish the fire limits of the City of Bend.

The City of Bend does Ordain as follows:

Section 1. Any person, firm, company or corporation desiring to construct any building in the City of Bend, or to lower, raise, alter or repair any building or structure, including wooden buildings, in said City, before commencing such work shall file with the City Recorder a copy of the plans and specifications of the proposed construction, raising, lowering, alteration or repairs, as the case may be, and shall present therewith an application in writing for permission to do such work. Such application shall designate the location of such building or proposed structure, and with the plans and specifications, shall be referred by the recorder to the building inspector. If the plans and specifications be for the construction of a building and the building inspector shall find the same to comply with the terms of this ordinance he shall endorse his approval thereon, and if the plans and specifications be for the raising, lowering, alteration or repair of a building then in that case the building inspector shall endorse thereon his approval, provided such plans and specifications do not show the work to be done upon said building or structure is of a character calculated to increase its inflamability, sanitation or amount to a substantial rebuilding of the same or increase the fire risk to adjacent property. Permissions shall be withheld in all cases where the building or structure, proposed to be altered, raised, lowered, or repaired, as aforesaid, is supported by an unsubstantial foundation, or where its roof, frame or walls have become impaired or decayed from long use, neglect, exposure or damage by fire or otherwise, to the extent of at least 40% of the cost of erection and construction of a new building or structure of identical character of such building. A separate permit shall be required for each building and the city recorder shall keep a record of such permits and report the number of permits issued each month to the commission at its first regular meeting in the succeeding month. The city recorder shall, before issuing any building permit, collect the following fees from the party or parties to whom such permit or permits are issued: $1.00 for each permit where the cost of the proposed building does not exceed $500.00; $1.50 where the cost of the proposed building exceeds $500.00 and does not exceed $1,000.00; $2.50 where the cost of the proposed building exeeeds $1,000.00 and does not exceed $2,000.00; $3.50 where the cost of the proposed building exceeds $2,000.00 and does not exceed $3,000.00; $5.00 where the cost of the proposed building exeeeds $3,000.00 and does not exceed $5,000.00; $10.00 where the cost of the proposed building exceeds $5,000.00.

Section 2. Any person, firm or corporation violating any provision of Section 1 of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed the sum of $25.00.

Section 3. Every building hereafter erected, altered, enlarged, raised, or built upon, shall be erected, altered, enlarged, raised or

built upon in accordance with the provisions of this ordinance.

This ordinance shall not apply to the height or mode of construction of buildings constructed prior to the 7th day of April, 1916.

No building already erected or being erected in the City of Bend, shall be enlarged, raised, altered, or built upon otherwise than in accordance with the provisions of this ordinance.

Section 4. Meaning of Terms. "Alterations" means any change or addition. "Repairs" means the reconstruction or renewal of any existing part of a building or of its fixtures or appurtenances, by which the strength or the fire risk is not affected or modified. "Party Wall" means a wall that separates two or more buildings, and is used or is to be used jointly by said buildings. "Partition Wall " means any interior wall in a building. "Bearing Wall " means a wall inside of a building which is to support the different floors ar places where the joist are not of sufficient depth to sustain the load imposed upon them. "Esterior Wall " means every outer wall or vertical enclosure of a building other than a party wall. "Thickness of a Wall" means the minimum thickness of such wall between the floors or between floor and ceiling or roof. "Cellar or Basement" means a lower story, any part of which is below the level of the street, or streets, on which it faces, or of the general level of the ground for more than one-half the height of such lower story. "Story" means, for the purpose of calculating the thickness of foundation and size of studding, any part of a building of which three quarters or more is above the level of the street, or streets, on which it faces, or the general level of the ground, or which exceeds seven feet six inches in height.

Section 5. Measurement for height and Width of Buildings. For the purpose of this ordinance the greatest linear dimension of any building shall be its length and the next greatest linear dimension its width. The height shall be measured from the curb line opposite the principal front for all buildings except those on a street corner. For buildings erected on a street corner the measurement shall be taken from the curb line opposite the center of either front. When the walls of a structure do not adjoin a street, the average level for the ground adjoining the walls may be taken instead of the curb level for the height of such structure. Any heights are to be measured from above lines to the underside or ceiling joists for flat roof and one half of the height to roof for a pitch roof.

Any roof or portion of a roof above the extreme height allowed by this ordinance must not have a slope with the horizon of more than 45 degrees.

Section 6. The walls of wood frame buildings shall be constructed with studding covered with weather boarding or shingles or cement plaster on the outside. No uncovered studding will be allowed against the wall of an adjoining building or structure.

Section 7. Brick or Stone Veneer. The outer walls of wood frame buildings over one story in height, veneered with brick or stone, shall be at least eight (8) inches in thickness including veneer and studding. No building shall be veneered with brick over three (3) stories in height.

Veneered walls must be anchored every three (3) feet in height to the inside studding, in manner subject to approval of the City Inspector.

When foundations of wood buildings are used for embankment or retaining wall, one, two and three story buildings with basement shall have foundation of basement walls of brick or concrete not less than twelve (12) inches thick and not higher than eight (8) feet from top of footing to bottom of first floor joists (first tier of joists). If a deeper basement be desired the walls thereof shall not be less than sixteen (16) inches thick; height of said walls shall not be greater than ten (10) feet from top of footing to under side of fist-story floor joists, and the footing shall have a spread of one hald ($\frac{1}{2}$) more than the thickness of the wall resting on it.

All buildings over four stories in height shall have foundation or basement walls of brick, stone or concrete not less than twenty inches thick, and shall not be more than twelve feet high from top of footing to bottom of first story floor joists; footings shall have a spread of one half the thickness of the wall resting on it. Where it is not allowable to have footings on the outside of a foundation or basement wall, the footings must extend far enough on the inside to make the required width.

Section 8. Size of studding for Exterior Walls. For a building of two stories in height, except factories, mills or warehouses, the studding for the outside walls and bearing partitions shall not beless than 2 x 4 inches; for a building three stories in height, the studding shall not be less than 2 x 6 inches to the bottom of the upper floor joists, and 2x 4 inches for the remaining height; for a building of four stories in height the studding shall not be less than 3 x 6 inches for the first story, and 2 x 6 inches or 3 x 4 inches for the second and third story,

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and 2 x 4 inches for the fourth story.

Section 9. Framing and Size of Floor Joists. When stories are framed separately, each tier of studding must have top and bottom plates, and the top plates must be doubled; when stories are not framed separately, proper bridging must be placed behind the ribbon at the ceiling line and on top of the joist at the first floor line; bridging must be two inches thick and of the full width of the studding in every case. All wood beams or joists shall be trimmed away at least one and one-half inches from all flues and chimneys whether the same be a smoke, air, or any other kind of chimney or flue.

The size of floor joists, girders, rafters, etc., and their spacing shall be subject to approval of the City Inspector.

Section 10. Temporary enclosed wooden sheds, not to exceed twenty feet in height, may be erected within the city limits to facilitate the erection of buildings in course of construction; when said buildings are completed the sheds must be removed.

Section 11. Raising or Lowering Frame Buildings to Grade. Any frame building within the fire limits may be raised or lowered to grade of the street; provided, that in case said building is to be raised, a brick, stone or concrete basement or foundation of such dimensions as is required by Section 18 of this ordinance shall be built under it up to the curb level.

Section 12. Removal of Buildings in the Fire Limts -- When and How. No building within the fire limit blocks shall be removed without the permission of the City Manager, and such permission shall not be given except to remove a building or buildings to any proportion of the same lot, on which it or they may stand, to make room for more permanent improvement (the meaning of the words "for more permanent improvements" means brick or stone) or for the removal of wooden buildings from within the fire limits to any part of the city outside of said limits, in which latter case the party or parties making application for such privilege shall first give security to the satisfaction of said Manager that they will leave the street, or streets, over which said building shall be removed in as good order as they were before such removal; and that they will make such removal continuous, day by day, until completed, with the least possible obstruction to the thoroughfares thus occupied; and the said removal shall be subject to the control and direction of said Manager, who may prescribe the mode and route of such removal.

Section 13. Excavations and Foundations. All excavations for buildings, alteration or construction in streets eithin the city limits shall be guarded and protected so as to prevent injury to life or limb by placing red lights between sundown and sunup.

Section 14. Before any tents or canvas houses shall be erected within the city limits of Bend, the owner shall first secure a building permit from the City Recorder, and before the City Recorder shall issue any such permit he shall collect for such a permit a fee of one dollar, provided, that sleeping tents near or adjoining any building belonging to the owner in which no stove or stoves are used or are to be used in such tent or canvas house shall not come within the provisions of this section.

Section 15. All foundation walls of any building hereafter erected within the fire limits hereinafter designated shall be built of brick, stone or concrete and shall be at least four inches thicker than the walls next above them.

Section 16. All supporting walls for any building hereafter erected within such fire limits in the warehouse class, including stores, offices, public assemblies, factory, business or other public buildings, shall have a minimum thickness in accordance with the following table:

MINIMUM THICKNESS IN INCHES.

	Foundation		Height of building-Stories				
	Stone	Brick	1	2	3	4	5
One story	20	19	12				
Two stories	20	16	12	12			
Three stories	20	16	12	12	12		
Four stories	24	20	16	16	16	12	
Five stories	28	24	20	16	16	16	12

Section 17. In all brick walls every sixth course shall be a header course except where walls are faced with brick in running bond, in which latter case every sixth course shall be bonded into the backing by splitting the face of the brick in half and backing the same with a continuous row of headers. All bearing walls faced with brick laid in running bond shall be four inches thicker than the walls are required to be under any section of this ordinance.

Section 18. All exterior and division or party walls over fifteen

feet in height, excepting where such walls are to be furnished with cornices, gutters or crown mouldings, shallhave parapet wallsnot less than eight inches in thickness and carried 18 inches above the roof.

Section 19. The planking and sheeting of the roofs of buildings shall not in any case be extended across the side of party wall thereof. Every building and the tops and sides of every dormer window thereon shall be covered and coped with brick, tile, tin, copper, iron or fire resisting composition. Nothing in this section should be construed to prohibit the repairing of any shingle roof within or without the fire limits, provided the building is not altered in height but this shall not be construed to permit the renewal of the shingle roof.

Section 20. In every building hereafter erected or altered all the walls or partitions forming interior light or vent shafts shall be built of brick except when the area of any such shaft does not exceed 25 square feet the enclosing walls or partitions may be of such other fire proof material as may be approved by the building inspector. The walls of all light and vent shafts, whether exterior or interior hereafter erected shall be carried up not less than three feet above the level of the roof.

Section 21. All openings in roofs for the admission of light shall have the frames and sashes thereof constructed of metal and glazed. All sky lights other than elevator, stairways, dumb waiter shafts and theatre roofs shall have metal frames and sashes glazed with wire glass not less than one-fourth of an inch thick, or with glass protected above and below with wire screen of not less than No. 12 galvanized wire and not more than one inch mesh. Sky lights hereafter placed in buildings of a public character over any passageway or room for public resort shall have immediately beneath the glass thereof a wire netting, unless wire glass is used.

Section 22. All openings in floors for the transmission of light to floors below shall be covered with floor lights constructed of metal frames and bars of glassin no case to be less than three quarters of an inch thick. If any glass in same measures more than 16 square inches, the glass shall be provided with a strong wire netting under the same.

Section 23. No opening in any roof or floor shall be without solid covering or an enclosure, as provided for in this ordinance, to prevent the communication of fire from story to story.

Section 24. All elevator shafts, stairways, light walls or other shafts shall be enclosed in suitable walls of brick or with such other fire proof material and form of construction as in the opinion of the City Inspector may be as equally good, except that the enclosure walls in non-fire proof buildings exceeding three stories in height and used as warehouses, stores or factories shall be of solid brick work.

Section 25. The walls of all buildings within the fire limits of the City of Bend, Oregon, shall be of brick or other non-combustible material and the roof thereof shall be constructed in accordance with the terms of this ordinance, except buildings outside of the following boundaries in the City of Bend, namely: Commencing on Division Street where the same is intersected by the alley in Block 25 of the original town of Bend: thence proceeding westerly along the center line of said alley to its intersection with Harriman Street: thence south along Harriman Street to its intersection with Irving Avenue; thence westerly on Irving Avenue to its intersection with the center line extended of alley in Block 15 of the original town of Bend; thence southwesterly along said alley to its intersection with Louisiana Avenue; thence northwesterly on Louisiana Avenue to an intersection with the center line extended of the alley in Block 5 of the original town of Bend; thence along said alley to an intersection with the southwesterly line of Oregon Avenue; thence northwesterly along the boundary line between Lot 6 of Block 2 and Lot 1 of Block 3 of the original town of Bend; thence westerly to the Deschutes River; thence northerly along said river to Greenwood Avenue; thence southeasterly along Greenwood Avenue to its intersection with Wall Street; thence northeasterly on Wall Street to its intersection with Vermont Place; thence along Vermont Place to its intersection with Hill Street; thence south on Hill Street to Kearney Avenue; thence easterly on Kearney Avenue to Division Street; thence southerly on Division Street to the place of beginning. Unless otherwise specified the center line of the streets, alleys and/or public ways above mentioned are intended in all cases.

Section 26. A bucked in boiler shall not be placed on any wood or combustible floor or beams. Wood or combustible floors or beams under and not less than 3 feet in front and 1 foot on the side of all portable boilers shall be protected by a brick foundation of 3 courses of brick work laid in mortar on sheet iron. A castiron ash pan of suitable thickness shall be placed under the boiler of width

at least equal to the base of the boiler and extending at least 2 feet in front of it. All lath and plaster and wood ceilings and beams over and to a distance of not less than 4 feet in front of all boilers shall be shielded with metal. No combustible partition shall be within 4 feet of the sides and back and 6 feet from the front of any boiler, unless said partition shall be covered with metal to a height of at least 3 feet above the floor, and shall extend from the end or back of the boiler to at least 5 feet in front of it, then the distance shall not be less than 2 feet from the sides and 5 feet from the front of the boiler.

Section 27. Steam or hot water heating pipes shall not be placed within 2 inches of any timber or wood unless the timber or wood work is protected by a metal shield, then the distance shall not be less than one inch. All steam and hot water pipe coverings shall consist of fire proof material only.

Section 28. All gas brackets shall be placed at least 3 feet below any ceiling or wood work unless the same is properly protected with a shield, in which case the distance shall not be less than 18 inches. No swinging or folding gas brackets shall be placed against or near any stud, partition or wood work. No gas bracket or any lath or plaster partition or wood work shall be less than 5 inches in length, measuring from the burner to the plaster surface or wood work.

Section 29. No electrical wiring or installation of electrical apparatus or appliances for furnishing light or power shall be introduced into or placed in any building or structure in the City of Bend except in compliance with the rules and regulations of the City of Bend, as set forth in Ordinance Number (N.S.) 113.

Section 30. The Commission shall have the power and is hereby authorized to declare any building or structure of any nature whatsoever, existing or erected in violation of the provisions of this ordinance, a nuisance; and is hereby empowered to abate the same.

Section 31. The owner or owners of any building or structure or part thereof, or any wall, platform, staging or floor to be used for standing or seating purposes, where any violation of this ordinance shall exist, and any architect, civil engineer, plumber, carpenter, mason, contractor, subcontractor, foreman, or any other person who may be employed to assist in the commission of any such violation, and any and all persons who shall violate any of the provisions of this ordinance, or shall fail to comply herewith or any requirements hereof, or who shall violate or fail to comply with any order or requirement made hereunder, or who shall build in violation of any detail, specification or plans submitted and approved hereunder, orany certificate of permit issued hereunder, shall severally, for each and every such violation and non-compliance respectrively, upon conviction thereof be punished by a fine of not more than two hundred dollars.

Section 32. From and after the passage of this ordinance (April 7, 1916) it shall be unlawful for any person or persons to erect in or near any building any chimney, flue or fire place, whether for heat, ventilation or whatever purpose, or to remodel any chimney, flue or fire place in any building, unless such chimney, flue or fire place shall be erected in accordance with the provisions hereinafter set forth. All chimneys or flues for stoves, fire places or furnaces shall be well and securely built up through the building to a point at least three feet above flat roof and two and a half feet above ridge of peak roof of such building, and if on side of roof, must be at least as high as the peak.

Section 33. 1. Enclosing walls of all chimneys shall not be less than four inches thick, and all division walls thereof shallnot be less than four inches thick. Smoke flues of brick with two inlets shall not be less than seven and one-helf inches by seven and one-half inches in the clear; for three inlets, the flue shall be eight by eight inches in the clear. Flues in buildings of greater height shall be increased in size proportionately.

2. Flues larger than two hundred square inches and less than 500 square inches must be surrounded by walls of not less than eight inches in thickness; flues larger than 500 and less than 1000 square inches must be surrounded by walls not less than 12 inches in thickness up to a height of fifteen feet above the inlet and eight inches in thickness up to a height of fifteen feet above the inlet and eight inches (~~inches~~) in thickness the remaining height; flues larger than 1000 square inches shall be proportionately increased in size and shall be lined with fire-brick for at least 20 feet above the opening.

3. The fire backs of all fireplaces hereafter erected shall be of solid masonry not less than 8 inches thick. When a grate is set in a fireplace a lining of firebrick at least two inches in thickness shall be added to the fire back, unless soapstone tile or cast iron is used,

and filled solidly behind with fireproof material. The base of no fire place shall be built wholly or partly on a wood base.

4. Any shimney flue larger than 350 square inches and less than 500 square inches, shall be carried up to height of 8 feet above any roof immediately surrounding, or five feet above the highest part of the roof within a radius of 50 feet of said chimney.

5. Every chimney which extends above the roof to a height equal to more than six times its thickness shall be properly anchored and secured.

6. On dwelling houses or stable three stories or less in height,not less than six of the top courses of the chimney shall be laid in cement, mortar, and the brick work shall be carefully bonded.

7. All flues shall be properly cleaned and all rubbish removed and the flues left smooth on the inside upon the completion of the building. All joints of all chimneys or flues shall be well filled and struck inside and outside. It shall be the duty of the building inspector to inspect all chimneys and flues under this ordinance.

Section 34. CHIMNEY SUPPORTS. 1. No chimney over 14 feet in height shall be built upon any floor or beam of wood, but must be run from the ground up.

2. Chimneys shall not be corbeled out more than 8 inches from the wall and the corbeling shall consist of at least 5 courses of brick, but in 12 inch walls corbeling shall not exceed 4 inches. Piers which support the chimneys shall start from the foundation on the same face with the chimney breast and shall not be less than 12 inches on the face and properly bonded into walls. When a chimney is to be cut off below, in whole or in part, it shall be wholly supported by stone, brick, iron or steel. Chimneys which are dangerous in any manner whatsoever shall be repaired and made safe or taken down.

3. When a smoke pipe enters a brick chimney a thinble shall be used and be bricked around with not less than 4 inches of brick work brought out to face of thimbles.

4. Chimneys built wholly outside of frame structures or light walls thereof shall be well anchored to the stud walls with wrought iron anchors or bands on the outside at intervals not exceeding ten feet.

Section 35. All wood baxes or casings inclosing steam or hot air pipes and all wood covers to recesses in which steam or hot air pipes are placed, shall be lined with metal. All pipes or ducts, used to convey air warmed by steam or hot water, shall be made of metal or other fireproof material. All steam or hot air coverings shall consist of fireproofing material only.

Section 36. Ranges and Stoves. 1. The backs of all ranges, candy furnaces and kettles, if set in brick and built against any woodwork, shall be not less than 8 inches thick, two inches thick to a height of two feet above the top of the furnaces or kettle.

2. In no case shall any range, candy furnace or kettle set in brick, be built against any brick wall with any combustible material between it and said wall, or upon said wall, for height of 2 feet above the top of such range, candy furnace or kettle.

3. All wood and lath and plaster or wooden ceilings over all ranges in hotels, restaurants and boarding houses, shall be guarded by metal hoods placed at least 9 inches below the ceilings, orshall be lmetal lined on walls and ceiling back of and above the range.

4. All ventilating pipes, connected with a hood over a range shall be at least 9 inches from any wood, lath and plaster or combustible material or such pipe shall be covered with one inch of asbestos plaster on wire mesh, which shall not pass through any floor.

5. All stoves shall be kept 20 inches, and their smoke pipes 12 inches, from any wood, lath or woodwork, or shall be protected with a metal shield arranged with at least one inch air space behind such shield.

6. All low portable gas stoves or heaters shall be placed on iron stands or other incombustible bases, or the burners shall be at least six inches above the base of the stove, and metal guards placed 4 inches below the burners; all wood work under them shall be covered with metal or other incombustible material.

Section 37. CORNICES, BELTS, GUTTERS AND OTHER APPENDAGES. 1. All exterior cornices, belts, gutters and other appendages on buildings within the fire limts, shall be constructed of, or covered entirely with, fire proof material.

2. All metal cornices shall be riveted and well secured into backets not more than two feet apart and properly built into the wall.

3. All wooden cornices or gutters on brick buildings, that are now or may hereafter become unsafe, shall be taken down and reconstructed of some fireproof material, upon an order from the building inspector.

4. Cornices of stone, brick or other masonry shall be properly supported on and well secured to the wall, and the greatest weight of material of such cornices shall be on the inside of the face of the wall.

Section 38. All brick, stone or iron buildins shall have a permanent

means of access to the roof inside. The openings in the roof shall not be less than 18x30 inches; and when ladders are placed on the exterior of any building in the City of Bend, they shall be constructed of metal and bolted through the walls of said building at each story, with not less than five-eight (5/8) bolts, with the nut and washers to show on the outside of the building.

S Section 39. 1. The roofs of all buildings hereafter erected within the fire limits and the roofs of all brick and stone buildings hereafter erected within the city, except buildings used as residences, shall be covered with either metal, slate, tile or terra-cotta or such material as may be approved by the city inspector.

2. Whenever the roof or roofs of any building or buildings within the fire limits shall (in the judgment of the building inspector) be or become dangerous or damaged to the extent of forty (40%) percent of the value of said roof or roofs, then said roof or roofs shall be covered as provided in sub-division 1 of this section.

Section 40. THICKNESS OF WALL--ENCLOSURE WALL OF CLASS "A" BUILDINGS. Walls of brick built in between iron or steel columns, and supported wholly on iron or steel girders, shall not be less than twelve inches thick for seventy-five feet of the uppermost height thereof, or to the tier of beams nearest to that measurement, in any building so constructed; any and/or every lower section of sixty feet, or to the tier nearest to such vertical measurement, or part thereof, shall have a thickness of four inches more than is required for the section next above it down to the tier of beams nearest to the curb level; and thence downward, the thickness of the walls shall increase in the ratio of four inches for every fourteen feet, or part thereof.

Section 41. The City Manager, with the consent of the Commission, may appoint an architect, civil engineer, competent builder or other competent person to be known as the city building and/or chimney inspector, whose duty it shall be to inspect all chimneys, flues and buildings hereafter erected, remodeled or altered.

Section 42. No person, firm or corporation proposing to construct any 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; provided, however, that this shall not be construed to exempt any such person, firm or corporation from obtaining such permit, or from complying with all other provisions of this ordinance.

Section 43. Any person or persons, whether owner, builder or mechanic, who shall violate any section, or part of section, of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than Ten Dollars for each offense, and any chimney or flue which is built in violation of any section of this ordinance shall be immediately demolished or rebuilt. (It shall be the duty of the chimney inspector to see that this ordinance is enforced.)

Section 44. Brick or stone chimneys or flues must be erected in any building hereafter erected within the City of Bend, under the provisions of this ordinance, and the owner or owners of all building constructed in Bend (City of) prior to the passage of this ordinance (April 7, 1916) shall, within three months from the date of its taking effect, erect or cause to be erected or built in any such building or buildings, brick or stone flues or chimneys, in accorance with the provisions of this ordinance. The term "stone" as used herein, shall mean and include hard lava rock used in lime mortar.

Section 45. The invalidity of any section or provision of this ordinance shall not invalidate any other section or provision hereof.

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ORDINANCE NUMBER (N.S.) 112 Books 2 & 3 - Ord. 75

An ordinance regulating and limiting the rate of speed of vehicles operated upon the streets, alleys and thoroughfares of the City of Bend; providing for the placing of stop signs at street crossings, prohibiting reverse of "U" turns on certain street intersections, and providing a penalty for the violation of this ordinance.

The City of Bend does ordain as follows:

Section 1. No vehicle run or operated upon any streets, alleys or thoroughfares of the City of Bend, shall at any time be run or operated at a greater speed than is reasonable and proper, having due regard to the safety of the public, to the traffic upon and use of the street then traveled, or in violation of the laws of the State of Oregon.

Section 2. The term "park" and/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.

Section 3. All vehicles parked upon any of the business streets of Bend shall be parked along the sidewalk at an angle of 35 degrees, and upon residential streets next to and parallel with the curb.

Section 4. 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 limted to 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 amusement or entertainment in the city of Bend shall be permitted during the time of operating as such.

Section 5. The parking of automotive vehicles on the North side of Greenwood Avenue between the West line of Wall Street and the West line of Brooks Street extended, is hereby forbidden. The parking of automotive vehicles on the West side of Wall street between the Southeast corner of Block three of Bend, and the North line of Greenwood Avenue extended West to the West line of Wall Street is hereby limited to five (5) minutes.

Section 6. The time limit for parking as provided in Section 4 of this ordinance 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 Chief of Police.

Section 7. 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 8. It shall be unlawful for any owner and/or operator of any motor vehicle to enter any street intersection without coming to a full stop, whenever the said intersection has a stop signal device, whether such device be a large "stop" sign at the right thereof, or a "button design" with the word "stop" thereon, and placed in the center of the entrance to such intersection.

Section 9. It shall be unlawful for any owner and/or operator of any motor vehicle to make a reverse or "U" turn at or in any of the intersections hereinafter designated to-wit:- Beginning at the northerly line of the intersection of Wall Street and Greenwood Avenue, along said Wall Street to the southerly line of the intersection of said Wall Street and Franklin Avenue; from the westerly line of the intersection of Wall Street and Franklin Avenue, along said Franklin Avenue to the easterly line of the intersection of said Franklin Avenue with Hill Street.

Section 10. Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Municipal Court of this city, be punished by a fine of not more than Fifty dollars, and in case of failure or refusal to pay such fine, such person may be imprisoned in the city jail for a period not exceeding twenty-five days, for the first violation of this ordinance; and for any second violation, such person shall, upon conviction thereof in said Court be punished by a fine not exceeding One Hundred Dollars and the costs of the prosecution, and in case of failure or refusal to pay such fine, the said person may be imprisoned in the city jail for a period not exceeding fifty days; and for a third or any subsequent conviction such person shall be punished by a fine not exceeding the sum of One Hundred Fifty Dollars and the costs of the prosecution, and imprisoned in the city jail for a period not exceeding seventy five days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 113 Book 2 - Ord. 127

An ordinance to enlarge the duties of the Chief of the Fire Department of the City of Bend, Oregon; to provide for the registration of persons, firms and corporations engaged in the installing of electrical appliances and to regulate electric wiring in or on buildings, awnings and additions to any buildings, all within the corporate limits of the City of Bend, and providing a penalty for the violation of this ordinance.

The City of Bend does ordain as follows:

Section 1. It shall be unlawful for any person, firm or corporation to introduce any electric lighting, heating or power wire, circuit or circuits or apparatus in or on any building or awning, structure or addition thereof within the corporate limits of the city of Bend, unless the same shall be in conformity with the rules and regulations and requirements for the installation of electric wiring and apparatus for electric light, heat and power, as the same are now established, together with any amendments and changes made from time to time, as are set forth in what is known as the National Electric Code, which code is adopted and approved by this ordinance. Before any such electric wiring shall be commenced in or on any building, awning, structure or addition thereto, a written permit must be obtained from the inspector of the city authorizing the person, firm or corporation therein named to do and perform

the said electric wiring, and designate the location where the same is to be performed. No such electric wiring shall be commenced as aforesaid until such permit has been obtained.

Section 2. After any electric wiring shall have been completed in or on any building, awning, structure or addition thereto, for which a permit has been issued, the person or persons, firm or corporation who performed the same must immediately notify the inspector of the completion of the work and must keep said work open for inspection by said inspector to inspect the same and until he shallhave examined and approved the same, and issued a certificate of such inspection. It shall be the duty of the inspector upon receiving said notice to inspect said electric wiring and if same has been performed in accordance with the rules and regulations as set forth in the National Electric Code, as set forth in Section 1 of this ordinance, he must issue a certificate to such effect, and deliver the same to the person, firm or corporation having done the wiring, but if not performed in accordance with said rules and regulations, he shall withhold such certificate until all defects are remedied. The inspector shall inspect the work within 48 hours after receiving notice that the work is ready for inspection.

Section 3. It shall be unlawful for any electric light or power company to do any wiring of any nature in or on any building except their own power house or substation, for which a permit has not been issued, or to make any electrical connections to any building until a final certificate of inspection and approval of the work has been issued by the inspector.

Section 4. There is hereby added to the duties of the chief of the Fire Department the powers and duties of inspector of electric wiring and such inspector shall have the right to enter all buildings where electric wiring exists for the purpose of inspecting the same, and he shall not be interested directly or indirectly in any firm doing electrical work subject to his inspection.

Section 5. The said inspector is hereby empowered to inspect or reinspect all wiring in or on buildings and apparatus conducting electric current for light, heat and power and when said conductors or apparatus are found to be unsafe to life or property he shall notify the person, firm or corporation using or operating them, to place the same in a safe and secure condition within ten (10) days. Any person, firm or corporation failing or refusing to repair, change or remove same within ten days, or within such further time as the inspector deems necessary, after receipt of such notice, shall be subject to the penalty hereinafter provided.

Section 6. All installations, changes, alteration, extension or repairs hereafter made in electric installations, shall be done in accordance with the rules of the said National Electric Code, as set forth in Section 1 of this ordinance.

Section 7. The City shall receive as compensation for the work herein provided to be done, the same to be paid by the person, firm or corporation taking out a permit for electric work and the same shall be paid to, and collected by, the said inspector when the final certificate of inspection is issued. The fees to be paid and collected for such work shall be as follows, to-wit:-

All concealed, open, moulding and conduit work:	
1 to 5 outlets	$ .50
6 to 10 outlets	1.00
11 to 30 outlets	1.50
31 to 50 outlets	2.00
51 to 100 outlets	2.50
101 to 200 outlets	3.00
201 and over	5.00
Motors, 1 machine	1.00
Each additional machine	.50
Rectifiers	1.00
Electric signs	1.00

All work concealed in any manner which will not permit of full inspection will not be accepted, and for each unnecessary visit required on account of defects of poor construction, an additional fee of fifty per cent of the original fee will be charged to and paid by the person, firm or corporation doing the work.

Section 8. Any person, firm or corporation who shall ciolate any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Municipal Judge, shall be punished by a fine of not exceeding Fifty Dollars, or by imprisonment in the city jail not to exceed twenty-five days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 114 Book 2 - Ord. 128

An ordinance regulating public garages and their construction, and

providing a penalty for the violation of this ordinance.
The City of Bend does ordain as follows:

Section 1. No person shall hereafter construct, lease or occupy any building as a public garage unless the same be a fireproof building; provided, however, that this provision shall not apply to any building now in use as a public garage and occupied as such under a continuous lease executed prior to the 6th day of May, 1919, until such lease shall expire. There shall at all times be maintained in every such building used for the aforesaid purpose one chemical fire extinguisher of not less than two and one-half($2\frac{1}{2}$) gallons capacity where the floor space is less than two thousand (2000) square feet, and one (1) additional chemical fire extinguisher for every additional two thousand (2000) square feet of floor space used for such purpose.

Section 2. GARAGE REGULATIONS. 1. No smoking shall be allowed inside any room used as a public garage. A notice in large letter, "NO SMOKING", shall be displayed in a conspecous place and manner on the floor and at all entrances to the garage.

2. Sand shall be kept in iron buckets in all garages. Every public garage of two thousand (2000) square feet of area, or less, shall have on hand at all times at least one barrel of clean sand, and one additional barrel for every four thousand (4000) additional feet of area, placed on different parts of the main floor and repair shop; each barrel to contain an iron scoop, so as to throw sand on a gasoline or oil fire, also for absorbing waste oils that may fall upon the floor; such sand when saturated shall be removed from the building. The use of sawdust for absorbing oils in any garage is strictly prohibited.

3. All waste and rubbish of any kind must kept at all times in a metal receptacle fitted with tight cover.

4. No gasoline shall be put into or taken out of any automobile where there is an open light. All lamps on the automobile must be extinguished before filling any tank thereon with gasoline.

5. No light of any kind other than electricity shall be used for illuminating purposes in any public garage.

6. No gasoline shall be used for motive power to supply any engine or machinery of any kind, or used or run by any public garage.

7. No stove, forge torch or other furnace, flame or fire shall be allowed within any room occupied as a public garage.

8. All electric motors not actually a part of an automobile shall be located at least four (4) feet above the floor.

9. All repair shops shall be kept clean and the floor free from oily waste or rags; all such waste and rags shall be kept in metal cans or receptacles covered with tight fitting covers.

10. No oils, gasoline or other inflammable material shall be allowed to be stored or kept in any lockers.

11. All lockers in public garages shall be so constructed as to permit of ready inspection.

Section 3. Any person or persons found guilty of a violation of any of the provisions of this ordinance, or failing to comply with the terms thereof, shall be fined not more than twenty-five dollars for each offense, and every day of maintenance of prohibited conditions shall constitute a separate offense.

ORDINANCE NUMBER (N.S.) 115 Book 2 - Ord. 136

An ordinance to regulate the equipment and operation of picture machines and premises, within the City of Bend, where the same are maintained; and providing a penalty for the violation of this ordinance.
The City of Bend does ordain as follows:

Section 1. By the term "Picture Machines", as used in this ordinance, is meant any machine or device operated by or with the aid of electricity, calcium light or other illuminant, and adapted or used to project upon a screen or other surface, pictorial representations in which inflammable films are used.

Section 2. No picture machine shall be installed, maintained, operated or licensed, except when in conformity with the provisions of this ordinance.

Section 3. Every picture machine installed or operated shall be enclosed within a booth, to be not less than 6x8 feet in size and 6 feet 6 inches high, the frame of which shall be composed of angle iron not less than $1\frac{1}{2}$ inch by $\frac{1}{4}$ inch, properly braced to secure rigidity, and securely riveted or bolted at the joints. Every such booth shall be sheathed and roofed with sheet iron of not less than No. 20 U. S. metal gauge, or with $\frac{1}{4}$ inch hard asbestos board securely riveted or bolted to the angle iron frame or 2 inches of solid metal lath and Portland cement plaster may be used.

2. The booth shall be floored with the same material as the sides and roof, riveted to the iron frame and covered with some non-conducting material.

3. The entrance door into the booth shall be no larger than 2x6 feet, of the same construction as the booth, and so arranged as to close automatically by metal rope and weight attachment.

4. The orifice or opening for the operator's view, or through which the picture is thrown, shall not be larger than 6x12 inches, and shall be provided with a gravity door of the same construction as the booth, which door shall be held open by fusible links placed in series with fine cords, so arranged that one of the links will normally close or open the door by pressure from the foot of the operator.

5. All shelves, furniture and fixtures within the booth shall be constructed of incombustible material, and no combustible material of any sort whatever shall be permitted or allowed to be within such booth, except the films used in the operation of the machine.

6. Each booth must have an opening for ventilation of not less than 12 inches in diameter, which must be flanged to carry standard conductor pipe for exhausting the hot air generated in operating the machine, the connection for ventilation should vent to chimney or outside of building in order to carry off hot air or explosive gases.

Section 4. All picture machines shall be equipped with incombustible magazines for receiving and delivering the films during the operation of the machine. A shutter must be provided and placed in front of the condenser of the machine, so arranged that the same can be instantly closed by the operator. Films not in the machine shall be kept within the booth, enclosing the machine, in metal boxes with tight fitting covers. Hot carbons taken from the lamps shall be deposited in a metal receptacle.

Section 5. Portable cords shall not be allowed within the booth unless the same is pertinent to a proper connection to the lantern itself and in all other respects the electrical wiring must be in accordance with the rules and requirements for electrical wiring embodied in the National Electrical Code. Each lamp connected with a picture machine must be provided with a separate switch located within the booth. There shall also be two switches controlling the lights in the exhibition room, one of which shall be operated from the booth and the other so placed that it is within reach of the ticket taker or other person stationed at the entrance door. There shall be provided a separate system of lighting, controlled by switches located within the reach of the ticket taker operating red signal lamps, and there shall be one such lamp placed at each exit, with a sign marked "Exit" in letters not less than five inches high. The location of all other signal lamps shall be determined by the chief of the Fire Department of the City.

Section 6. No waste paper, newspaper, old cloths, rags, or in fact anything of an inflammable character, will be permitted in the operator's room. The walls and floors of the operating room must be kept clean, and under no circumstances must dust be allowed to accumulate. Waste will not be permitted in operating room, such wiping rags as may be necessary must be kept in an approved waste can. Under no circumstances must the operator leave the operating room without first having disconnected the current from the arc lamp of the machine. Smoking therein is strictly prohibited. One 2½ gallon chemical extinguisher, two buckets of water and two buckets of sand must be kept in the booth.

Section 7. A. No picture machine shall be installed, maintained or operated in any building that does not abut directly upon a street, and in no case shall the main floor of such exhibition room be more than four feet above or below the adjoining street level. To overcome any difference of level on the ground floor gradients shall be employed of not over one foot in ten feet; no steps shall be permitted. Exit doors must be at the level of the sidewalk. In exhibition room directly abutting upon one street, the booth enclosing the picture machine shall be placed at that end of the room which is opposite and farthest from the street, or on a balcony. No room to be used as an exhibition unless it has at least one separate and distinct exit in addition to the front exit. In exhibition rooms located at the corner and directly abutting upon two streets, or on a street and an alley, the booth enclosing the machine may be located at the end of the room opposite to and farthest from either street or alley. Every such room shall be provided with two exits, one upon each street or alley. All exits and entrances shall open directly from the exhibition room upon the street or alley or into a vestibule or lobbey opening immediately into the street or alley. No exit in exhibition halls for picture machines shall be less than five feet wide and all exit doors shall be arranged to swing outward. The aggregate width in feet of such exits shall not be less than one foot to each twenty persons, to be accomodated thereby. All aisles shall lead directly to exits, and all exits shall be directly accesible to aisles. No aisle shall be less than three feet in width.

B. All seats in any exhibition hall for picture machines shall be securely fastened to the floor and shall be so arranged that there will not be more than six seats between an aisle and a wall, and not more than twelve between two aisles.

C. No stage, platform or scenery shall be placed, maintained or allowed to remain in any exhibition room for picture machines unless of fireproofed material.

Section 8. Incandescent electric lamps shall be used throughout for border lights, footlights and stage purposes.

Section 9. No individual, partnership or corporation shall be permitted to conduct the business of moving picture exhibitions, as herein described, until the applicant therefor has procured from the chief of the City Fire Department his certificate that the premises where the exhibitions are to be given, and the apparatus used in connection with the said exhibitions are in compliance with the provisions of this ordinance.

Section 10. The chief of the Fire Department shall have authority, and it shall be his duty, to revoke the license issued to any person, firm or corporation for conducting or maintaining picture machine exhibitions, when he shall be satisfied that such licensee has violated any of the provisions of this ordinance: provided, however, before revoking such license an opportunity shall be given such licensee to appear before the said chief of the Fire Department and show cause, if any there be, why the same should not be revoked.

Section 11. The requirements herein named, so far as installation of moving picture devices and the construction and location of booths are concerned, shall apply to theatres, churches, schools and public halls.

Section 12. Any person, or persons, found guilty of the violation of any of the provisions of this ordinance or failing to comply with the terms thereof, shall be fined not more than twenty-five dollars for each offense, and every day of maintenance of prohibited conditions shall constitute a separate offense.

ORDINANCE NUMBER (N.S.) 116 Book 3 - Ord. 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, and providing for a penalty for the violation of this ordinance.

The City of Bend does ordain as follows:

Section 1. 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/or 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 a contract with the municipality of Bend.

Section 2. Any person, firm or corporation desiring to engage in any of the occupations mentioned in Section 1, shall make a written application for a license therefor to the City Recorder, provided that said application must first have been approved in writing by the Building Inspector, 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 the City of Bend.

Section 3. After favorable action by the City Manager upon said application, the license provided herein 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, to-wit:-

For the installation, alteration, repair and maintenance of plumbing and drainage systems, sewers, septic tanks and cess pools, for a period of one year, the sum of $40.00

For the installation, alteration, repair and maintenance of sewers, septic tanks and cess pools, for a period of one year, the sum of $25.00

and no license shall be issued for a period of less than one year.

Section 4. The applicant or applicants shall file with the City Recorder a bond with corporate surety in the sum of Five hundred $500) Dollars, which bond shall be suly 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

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person or by his employees, 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 5. No person, firm or corporation engaging in the business of plumbing, sewer connecting, sewer construction, drainage, construction of septic tanks or cess pools, 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 6. An applicant for a license under this ordinance may appeal to the Commissioners of the City of Bend from the decision of the Building Inspector and/or City Manager relative to said application, and the decision of said Commission shall be final.

Section 7. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than Fifty Dollars, nor more than Five Hundred Dollars, or by imprisonment in the City jail for not less than ten days, nor more than thirty days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 117 Book 2 - Ord. 166

An ordinance prescribing who shall be deemed a vagrant and providing for the punishment thereof.

The City of Bend does Ordain as follows:-

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

(a) Any destitute person without visible means of support, and not having a lawful occupation, and having ability to work, or such person who does not secure or refuses to secure employment or labor and/or who refuses to labor when employment is offered.

(b) Any person who shall solicity alms, sums of money or food in the manner commonly known as "begging" as a means of support.

(c) Any person who habitually roams from place to place without any lawful business or any visible means of support.

(d) Any person who shall be found loitering about depots; public thoroughfares or public places of amusement between the hours of twelve o'clock P.M. and five o'clock A.M.

(e) Any person found or known to be lodging in any barn, shed, shop, inhabiting any building or place other than those kept for lodging purposes, or in the open weather, unless such person be so lodging upon his own premises or with the permission of the owner thereof.

(f) Any person who frequents or stays in or about houses of ill fame or who habitually associates with common prostitutes.

(g) Any common prostitute or person who shall be found on the public streets or at any place within the corporate limits of the City of Bend soliciting prostitution.

(h) Any person who, being an habitual drunkard shall fail, neglect and/or refuse aid in support of his or her family.

Section 2. Any person upon conviction of vagrancy before the Municipal Judge shall be punished by a fine not exceeding $100.00 or by imprisonment in the City Jail for not more than fifty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 118 Book 2 - Ord. 167

An ordinance defining disorderly conduct and providing for the punishment thereof.

The City of Bend does Ordain as follows:

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

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

Section 3. It shall be unlawful for any person except peace officers in discharge of their duty to carry any sling shot, billy, dirk, pistol or any concealed deadly weapon; to discharge any fire arms, air-gun, spear guns, flipper or bean shooter within the corporate limits of the City unless in self-defense or in protection of property.

Section 4. It shall be unlawful for any person to lie or sleep on any of the streets, highways, alleys, sidewalks, parks or other public

places within the corporate limits of Bend, or to appear therein on such form of intoxication as to be unable to take proper care of himself or herself, or to disturb the peace and quiet of any person, family or neighborhood by drunkenness, by making loud or unusual noises by vile, obscene, profane, insulting or offensive language; by threatening, traducing, quarrelling, fighting or offering or challenging to fight, or by assaulting any person; or in any other way or manner whatsoever to disturb the peace, quiet and decency of any person or neighborhood.

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

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

Section 7. It shall be unlawful for any person or persons to bargain for, buy or sell, give or take, smoke or cause to be smoked any opium or any of its derivatives within the corporate limits of Bend provided however, that the provision of this Section does not apply when such opium is obtained upon the prescription of a physician admitted to practice within the State of Oregon.

Section 8. It shall be unlawful for any person or persons to introduce or take into the City Jail, or deliver to any prisoner confined therein any intoxicating liquor or drug except upon the prescription of a lawful practicing physician.

Section 9. No proprietor, manager, keeper or lessee of any show, theater, place of amusement or restaurant, shall allow or permit pianos or other musical instrument to be played in such show, place of amusement, theater or restaurant under his or their control between the hours of midnight and nine o'clock in the morning.

Section 10. It shall be unlawful for any person to beat, totally misuse, deprive of food or water or otherwise cruelly treat any animal within the limits of the City of Bend.

Section 11. It shall be unlawful for any person to kill, within the corporate limits of the city, any song bird or game fowl, or any animal protected by the game laws of the State of Oregon.

Section 12. It shall be unlawful for any person to suffer or permit to go or to lead, drive or ride or to hitch any horse, mule or other beast of burden or any hogs or cattle, upon any sidewalk within the corporate limits of the City of Bend.

Section 13. It shall be unlawful for any person or persons to ride, drive or operate upon any public sidewalk within the limits of the City of Bend any bicycle, motorcycle, automobile, buggy, wagon, hack or other vehicle or conveyance, provided however that this Ordinance shall not apply to the use of baby carriages, go-carts or perambulators upon said sidewalks.

Section 14. It shall be unlawful for any person or persons to hitch or fasten any animal to, or otherwise destroy, any growing or living shade or other ornamental tree.

Section 15. It shall be unlawful for any person to throw or cause to be thrown or deposited upon any sidewalk, highway, alley or public ground, or upon private premises not his own, any ashes, paper, manure, glass, metals, broken ware, dirt, straw, rubbish, garbage or other filth.

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

Section 17. It shall be unlawful for any person to play at ball or throw any stones or other missile in any of the streets, highways or alleys or upon any of the sidewalks within the corporate limits of the City of Bend.

Section 18. It shall be unlawful for any person to place on any sidewalk, cross walk, street or alley any wood or fuel for private consumption provided however, that such fuel or wood may be allowed to be piled and remain upon such sidewalk, cross walk, street or alley not to exceed twenty-four hours for each cord or load thereof, and not to exceed eight days in the aggregate, the debris from the same to be removed from such sidewalk, cross walk, street or alley by the owner of said wood.

Section 19. It shall be unlawful for tenants, residents or householders to allow or permit slop or drain water to flow into the street, highway or alley of said City.

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Section 20. The commission of any act or acts prohibited by the above and foregoing sections of this ordinance shall be termed "disorderly conduct" and in all prosecutions under the provisions of this ordinance, it shall be sufficient to allege in the complaint that the party charged has been guilty of disorderly conduct, stating in a general way the act committed.

Section 21. Any person or persons found guilty of disorderly conduct as provided in this ordinance shall be punished by a fine of not exceeding $200.00 or by imprisonment in the City Jail not exceeding one hundred days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S) 119 Book 2 - Ord. 169

An ordinance regulating the construction of awnings within the City of Bend and providing a penalty for the violation thereof.

The City Of Bend does Ordain as follows:

Section 1. All awnings on any building in the City of Bend shall be constructed and erected in accordance with the provisions of this ordinance.

Section 2. Awnings shall not be placed less than six and one-half feet above the sidewalk, provided that in cases where the frame work of the awning is not lower than seven feet above the sidewalk, it shall not be deemed a violation of this ordinance if a flexible flap or fringe shall extend one foot below said frame work.

Section 3. The outer edge of all metallic awnings commonly known as "Marquise" hereafter constructed in the City of Bend shall be at least two feet inside of the curb line.

Section 4. Any person, firm or corporation before putting an awning on any building in the City of Bend shall make application to the City Recorder for a permit therefor; which application shall state the size of the awning, kind and distance to be placed above the sidewalk, and when the showing so made shall conform to the provisions of this ordinance, the City Recorder shall issue to such person, firm or corporation, a permit to put up such awning.

Section 5. It shall be the duty of the Chief of Police to immediately notify all owners of awnings in the City of Bend which do not conform to the requirements of this ordinance to replace, readjust or remove such awnings within thirty days from notification.

Section 6. Any person violating the provisions of this ordinance shall, upon conviction, be punished by a fine not exceeding $100.00 or by imprisonment for not more than thirty days in the City Jail or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 120 Book 3 - Ord. 172

An ordinance providing for the restraint of domiciled animals or fowls within the City of Bend; creating the office of Pound Master, prescribing his duties and providing a penalty for the violation of this ordinance.

The City of Bend does Ordain as follows:

Section 1. No horses, mules, cattle, sheep, swine, goats, chickens, ducks, geese, turneys, dogs or other domiciled animals or fowls shall be permitted to trespass upon private property within this City, nor shall any of said animals or fowls be herded, tethered or pastured in any manner upon any public thorough-fare or public place within the City; provided that any of said animals may be driven over such public thorough-fares whenever necessary, as may be designated by the City Manager.

Section 2. All horses, mules, cattle, sheep, swine or goats trespassing upon private property or herded, tethered or pastured upon any public thorough-fare or public place, or running at large within said City, shall be taken up by the Chief of Police as the Pound Master and confined in some suitable inclosure where they shall be property cared for.

Section 3. Immediately after taking up any animal as provided in Section 2 of this ordinance, the Pound Master shall use his best efforts to ascertain the person entitled to the possession of such animal and if ascertained shall thereupon notify him of the impounding of said animals. Any person proving his right to the possession of any impounded animal to the satisfaction of the Pound Master shall be entitled to the possession thereof upon payment of all reasonable charges incurred in connection with the impounding of said animal. In case any impounded aniamal shall not be claimed by any person within two days after he shall have received notice of such impounding, or in case the Pound Master after diligent search is unable to locate such person, he shall after a period of at least seven days from the date of the impounding of said animal sell the same at public auction to

satisfy the costs and expenses. Before selling any animal, the pound master shall give notice thereof by at least one publication in a newspaper published in the City of Bend, at least five days before said sale; said notice of sale shall contain a particular description of said animal provided however, that a reasonable accurate verbal description of any brand shall be sufficient.

Section 4. The owner or person having the control of any of the animals or fowls mentioned in Section 1 of this Ordinance who shall permit any of said animals or fowls to trespass upon private property within the City of Bend, or to be herded, tethered or pastured in any manner upon any public thorough-fare or public place within said City, and any person, firm or corporation violating any of the provisions of this Ordinance, shall upon conviction thereof, be punished by a fine of not more than $50.00 or by imprisonment for not more than thirty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 121 Book 3 - Ord. 173

An Ordinance defining the irrigation season in the City of Bend, regulating the use of water for sprinkling and irrigation within the said City and providing a penalty for the violation thereof.

The City of Bend does Ordain as follows:

Section 1. The irrigation season in the City of Bend for the sprinkling and irrigating of lawn and gardens shall extend from June 1st to October 1st of each year.

Section 2. During the irrigation season as above defined, water users on the even numbered side of public thorough-fares, within said City, shall irrigate and sprinkle on the even numbered days of each month, and water users on the odd numbered side thereof shall sprinkle and irrigate on the odd numbered days of each month, provided however, that on the 31st day of any month, users on both sides of any thorough-fare may sprinkle and irrigate.

Section 3. Upon the sounding of an alarm of fire within said City the users shall cease sprinkling and irrigating until the fire is extinguished.

Section 4. It shall be unlawful for any person having the control of water for sprinkling or irrigation to permit the same to flow into or upon any public thorough-fare or upon or over premises not under his control.

Section 5. Any person violating any of the provisions of this Ordinance upon conviction thereof, shall be subject to a fine of not more than $10.00

ORDINANCE NUMBER (N.S.) 122 Book 3 - Ord. 196

An Ordinance providing for the working out of fines imposed by the Municipal Judge of the City of Bend and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. Any person sentenced to a term of imprisonment in the City Jail for the violation of any Ordinance of the City of Bend, shall, upon the Order of the Municipal Judge, be compelled to work on any of the public thorough-fares of said City or upon any of its public grounds, in the improvement thereof, or upon any public work of said City, during the entire term of such imprisonment or any part thereof; said work shall be performed under the control and direction of the Chief of Police of the City of Bend who may, when necessary, secure such prisoner with ball and chain or shackle while in such employment.

Section 2. Any person sentenced to pay a fine for the violation of any Ordinance of the City of Bend who shall fail for any reason to pay such fine shall, upon the Order of the Municipal Judge be imprisoned in the City Jail for one day for each $2.00 of such fine; or he may be compelled to work out the amount of such fine at the rate of $2.00 per day under the conditions set forth in Section 1 hereof.

Section 3. Eight hours shall constitute a working day under this Ordinance.

Section 4. Any prisoner employed as above provided and being physically able, who refuses to perform the work assigned to him, or who escapes or attempts to escape while so laboring or while going to or returning from such labor shall be deemed guilty of a misdemeanor and when convicted thereof in the Municipal Court shall be punished by further imprisonment for a term of not less than ten days nor more than fifty days.

ORDINANCE NUMBER (N.S.) 123 Book 3 - Ord. 198

An Ordinance establishing the Women's Protective Division of the City of Bend, providing for the appointment of a Superintendent thereof

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and prescribing the duties of such Superintendent, and providing a salary. The City of Bend does Ordain as follows:

Section 1. There is hereby created and established the Women's Protective Division to be operated and maintained as an adjunct of the Police Department of the City of Bend.

Section 2. The Women's Protective Division shall be in charge of and directed by a woman appointed by the City Manager who shall be Superintendent of the Division and who shall be under the general direction, advice and counsel of the Chief of Police.

Section 3. It shall be duty of the Superintendent of the Women's Protective Division:

(a) To work for the protection of women and girls who because of environment, employment, habits or other causes may become delinquent.

(b) To co-operate with the State Board of Health, the Salvation Army, Juvenile Court and similar departments of other cities in assisting girls and women residing within the City of Bend who have become delinquent.

(c) To make available to the Commission, District Attorney and City Attorney such facts as she will have obtained in the pursuit of her duty, which may assist in the successful enforcement of the law and that the person or persons contributing the specific case of delinquency may be apprehended and proper punishment given them.

(d) To co-operate with the City Physician to enforce the laws relating to venerial deseases.

Section 4. The Superintendent of the Women's Protective Division in the performance of her duties shall have the authority of a police officer of the City of Bend.

Section 5. The Superintendent of the Women's Protective Division shall be paid a salary of not to exceed $125.00 per month and shall be allowed to incur such other expense as in the judgment of the City Manager may be necessary and proper for the conduct of the Division.

ORDINANCE NUMBER (N.S.) 124 Book 3 - Ord. 213

An Ordinance to regulate the registery of dogs to provide for the taking up, impounding and killing of dogs without license tags, and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. It shall be unlawful for any person owning or having charge, care or control of any dog, male or female, 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 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 couterfeit such tag or plat on any such dog within the limits of Bend.

Section 2. The City Recorder shall keep a register wherein there shall be entered the name of the owner of the dog to whom any 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 tag issued prior to July 1st of each year 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 or any person whom the City Manager may appoint as deputy Pound Master to be caused to be taken up and impounded any dog found running at large or upon the streets of Bend not having a collar around his or her neck with such tag as in this Ordinance provided, and if such dog shall not be redeemed as hereinafter provided within four days after such dog shall have been impounded, it shall be the duty of the Chief of Police or said Pound Master then to sell or cause to be sold such dog and/or kill or cause to be killed such dog and have the same buried outside the City limits. The Chief of Police or said Pound Master shall receive from any person any dog running at large contrary to the provisions of this Ordinance, and shall safely restrain such 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 four days, the Chief of Police or Pound Master 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 deposited in the General Fund. No dog so impounded shall be delivered to the owner or purchaser thereof until a tag is purchased for said dog

and a penal fee of $1.00 and ten cents a day for the keeping of said dog during the time it has been impounded has been paid to the City Treasurer; provided however, 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, 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 orderes of such officer, such person shall be deemed guilty of a violation of this ordinance.

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 in conformity with this Ordinance; or to release any dog when impounded without authority of the Chief of Police or Pound Master.

Section 6. No mad dog or no female dog, in time of heat, shall be permitted to run at large within the corporate limits of the City, and it shall be lawful for any person to kill any mad dog running at large, whether wearing a tag or not, provided, that any person killing such a dog shall immediately notify the Health Officer of the City, who shall immediately take charge of such dog's body and have the head thereof examined for rabies, and if such examination fails to disclose that such dog was mad the person killing it shall not be protected by this section. No owner allowing a mad dog or a female dog in heat to run at large shall be exempt from prosecution under this Ordinance.

Section 7. Any person or persons violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof before the Municipal Court, shall be fined a sum not exceeding $50.00 or by imprisonment for any term not exceeding twenty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 125 Book 3 - Ord. 214

An Ordinance providing for the extermination of noxious weeds within the City of Bend and providing a penalty for the violation thereof.

The City of Bend does Ordain as follows:

Section 1. 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, Canadian Thistle, Chinese Thistle, White Mustard, Him Hill Mustard or any nozious weed to grow upon said lot or parcel of lot or on the half of any public thorough-fare adjacent thereto.

Section 2. Any person violating the provisions of this Ordinance shall upon conviction thereof be fined not more than $25.00 or by imprisonment in the City Jail for not more than ten days or by boty such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 126 Book 3 - Ord. 215

An Ordinance forbidding the installation and/or maintenance of gasoline and oil pumps on public grounds and public thorough-fares within the City of Bend and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. It shall be unlawful for any person to hereafter install and/or maintain any oil or gasoline pumps in or upon any part of any public ground or public thorough-fare within the corporate limitsof the City of Bend.

Section 2. Any person violating the provisions of Section 1 of this Ordinance shall upon conviction thereof, be subject to a fine of not more than $50.00 or by imprisonment in the City Jail for not more than thirty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 127 Book 3 - Ord. 220

An Ordinance providing for the installation and maintenance of cluster lights upon certain streets of the City of Bend.

The City of Bend does Ordain as follows:

Section 1. 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 hereinafter provided and not otherwise.

Section 2. All cluster lights which shall be hereafter placed upon the said streets 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 height over all of 13' 2" and specifically described as follows, to-wit:

Size of base	17¼" x 19 3/4"
Diameter of flue column at base	9⅓"
Diameter of top of fluted column	6"
Spread of arms	36⅓"
Side globes and fetters	12" x 6"
Central globe and fetters	16" x 8"
Size of door	4" x 8"
Height	13"2"
Weight	325 pounds.

all of which more fully appears on the plans and blue prints of Official Cluster Lights approved by the Commission of the City of Bend on the 2nd day of December, 1913, and which said plans and blue prints are now on file and of record in the office of the City Recorder of said City and are hereby referred to and made a part of this Ordinance.

Section 3. Lights shall be placed on the sidewalk or grade, at a uniform distance of 15" 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 by the plans and blue prints above referred to.

Section 4. Lights, together with fixtures, shall be installed by the owner of the abutting property and shall be located as shown by said plans and blue prints and not otherwise; provided that when such aubtting 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 5. The City agrees to furnish electric current for said cluster lights, installed as aforesaid, at its own expense at a maximum cost of $2.00 per month, per cluster, provided however, that the City of Bend reserves the right to alter or modify the candle power or to reduce the minimum monthly payment for each cluster; and provided further that nothing herein contained shall be construed to prevent the Commission of said City from creating a special light assessment district and provide for levying assessments against aubtting property for the installment and maintenance of cluster lights within said City or upon the aforesaid streets.

ORDINANCE NUMBER (N.S.) 128 Book 3 - Ord. 224

An Ordinance specifying the hours of night after which it shall be unlawful for children to be on the public thorough-fares and grounds in the City of Bend, providing for the means of enforcing the provisions of this Ordinance and providing a penalty for the violation thereof. The City of Bend does Ordain as follows:

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

Section 2. 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 3. It shall be the duty of any peace officer of this 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 thereof 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 home by the officer and its parents or legal tuardian 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 sufficient excuse for such violation, a complaint shall be filed against him or her charging a violation of this Ordinance.

Section 4. It shall be unlawful for any person to make any misrepresentation as to the age of any person for the purpose of violat-

ing or evading any of the provisions of this Ordinance.

Section 5. Any person violating any of the provisions of this ordinance, shall upon conviction thereof, be subject to a fine of not more than $50.00.00

ORDINANCE NUMBER (N.S.) 129 Book 3 - Ord. 227

An Ordinance specifying the hours during which it should be unlawful for minors under the age of fourteen years to sell or deliver newspapers and/or other periodicals on the public grounds and thorough-fares in the City of Bend and providing a penalty therefor.

The City of Bend does Ordain as follows:

Section 1. It shall be unlawful for any parent, guardian, custodian or other person having the custody of any minor under the age of fourteen years to permit such minor to handle, sell, expose or offer for sale any newspaper magazine or other periodical between the hours of nine o'clock P. M. and seven o'clock A. M. on any of the public grounds or thorough-fares of the City of Bend; and it shall be unlawful for any minor under the age of fourteen years to handle, sell, expose or offer for sale any newspapers, magazines or other periodical between the hours of nine P.M. and seven A.M. upon any public grounds or thorough-fares 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 more than $50.00 or to imprisonment in the City Jail for nor more than twenty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 130 Book 3 - Ord. 232

An Ordinance to prevent the spreading of infectious diseases in the City of Bend, providing that all persons proposing to engage in certain occupations shall first obtain a health certificate and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

Section 1. No person affected with an 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 on occasions the hanling 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 of serving food or drink for human consumption, and it shall be unlawful for any owner, proprietor, manager or agent or representative of 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 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 a 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 Section 1 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 Section 1 herein shall exhibit such certificate whenever required to do so by any City Representative. 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 any other person 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

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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 or to any of his authorized assistants for cancellation; and it shall be unlawful for such person to refuse or neglect to so do.

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 in the City Jail for not more than six months or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 131 Book 3 - Ord. 237

An Ordinance regulating traffic on the public thorough-fares 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.

The City of Bend does Ordain as follows:

Section 1. Whenever an alarm of fire is sounded from the Central Fire Station, all vehicles upon the public thorough-fares within the City of Bend shall immediately pull into the curb and remain stationary for at least five minutes; provided however, that the foregoing provision shall not apply to vehicles trnasporting 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 1 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 and policemen, members of the fire patrol and representatives of local newspapers authorized by the City Manager are hereby forbidden to pass the fire line as established by the Chief of the Fire Department or his representative at any fire; provided however, that the Chief of the Fire Department or his representative at any fire may permit interested persons to pass within the said fire lines.

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

Section 5. Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not more than $50.00 or by imprisonment in the City Jail for not more than sixty days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 132 Book 3 - Ord. 280

An Ordinance forbidding the receiving or discharging of passengers by motor-vehicles transporting passengers for hire to or from a fixed terminus outside of the City of Bend upon any public thorough-fare within the City of Bend and providing a penalty for the violation of this Ordinance.

The City of Bend does Ordain as follows:

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 within the City of Bend from or to a fixed terminus without the City of Bend shall receive or discharge passengers upon any public thorough-fare within said City, provided however, that the provisions of this Ordinance shall not apply to any such person, firm or corporation who has received a license from the City of Bend to act as a taxi-driver.

Section 2. Any person violating the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not more than $50.00.

ORDINANCE NUMBER (N.S.) 133 Book 3 - Ord. 284

An Ordinance providing a penalty for the violation of quarantine regulation imposed by the City Physician in the case of a communicable disease making the decision of the City Physician as to the communicalbe character of any disease conclusive, suject to appeal to the State Board of Health, providing for the appointment of guards to enforce the quarantine regulation and providing a penalty for the vio-

lation of this Ordinance.
The City of Bend does Ordain as follows:

Section 1. Any person violating any regulation imposed by the City Physician any quarantine of a communicable disease within the City of Bend; and any person having the charge, custody or control of any minor or 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 regulations, shall upon conviction thereof, be punished as hereinafter provided.

Section 2. The decision of the City Physician as to the communicable character of any specific disease and the proper measure to be employed in quarantining the same shall be conclusive until and unless reversed or modified by the State Board of Health.

Section 3. The City Manager may employ as many persons as he deems necessary to properly guard any house or place quarantined for any infectious disease and shall be known as quarantine guard, shall have police powers and may use all necessary means to enforce any quarantine regulation imposed by the City Physician. The services of said guard shall be paid by the person or persons quarantined when financially able to make such payment and if unable so to do some shall be paid by the City of Bend.

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 $25.00 or by imprisonment in the City Jail for not more than thirty days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 134 Book 3 - Ord. 288

An Ordinance designating the route of The Dalles-California Highway to the City of Bend, requiring all vehicles approaching the limits of said highway from intersecting thorough-fares to come to a full stop, and providing a penalty for the violation of this Ordinance.
The City of Bend does Ordain as follows:

Section 1. That the following named thorough-fares within the City of Bend be, and they are hereby 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 thorough-fares shall bring his vehicle to a full stop immediately before entering the limits of said line of route.

Section 3. Any person violating Section 2 of this Ordinance shall upon conviction thereof be subject to a fine of not less than $1.00 nor more than $50.00 or by imprisonment in the City Jail for not more than ten days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 135 Book 2 - Ord. 161

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; providing a penalty for the violation of this Ordinance.
The City of Bend does Ordain as follows:

Section 1. The City Physician of the City of Bend shall be ex-officio Health Officer of the City and on the first Tuesday after the first Monday of each year the City Manager shall appoint a City Physician who shall be a person duly licensed by the Oregon State Board of Medical Examiners who shall receive such compensation for his service as the City Manager may determine, and the City Physician shall be the local registrar for the City of Bend and in charge of the registration of births and deaths occurring within the City, provided however he shall receive no additional compensation therefor.

Section 2. The City Physician shall exercise general supervision over the health of the City and shall enforce all measures necessary to promote the health and cleanliness thereof. He shall cause to be abated nuisances of every description which are a menace to the public health on public and private property. He shall use all necessary measures to prevent the introduction and spread within the city of any com-

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municable disease and to that end may quarantine any person or persons and disinfect or destroy or otherwise dispose of any clothing or other property as he deems necessary. He shall make a monthly report in writing to the City Commission of all his doings for the preceding month, of the sanitary condition of the City and shall make such recommendations to said body as he deems advisable.

Section 3. It shall be the right of the City Physician of the City of Bend to enter any premises or examine any person within the corporate limits of Bend whenever he shall have reason to believe there exists any unreported case of a communicable disease, to certify the cause of death of any person.

Section 4. It shall be the duty of every undertaker or person acting as undertaker within said City to obtain a certificate of death and file with the local registrar and secure a burial or removal permit prior to any permanent disposition of the body. He shall obtain ther personal and statistical particulars required, from the person best qualified to supply them over the signature and address of such person or state over his own signature that after careful inquiry he cannot obtain such particulars. He shall then present the certificate to the attending physician if any, or in case the death occurred without any medical attendance, to the City Physician for certification of the cause of death and other particulars necessary to complete the record as hereinabove provided, and he shall state the facts required relative to the date and place of burial over his signature and with his address and present the completed certificate to the local registrar for the issuance of a burial or removal permit.

Section 5. It shall be the duty of the attending physician or midwife to file a certificate of birth properly and completely filled out, giving all of the particulars required by Section 132 of Chapter 264 of the laws of 1919 of the State of Oregon with the City Physician within ten days of the date of the birth. And if there be no attending physician or midwife then it shall be the duty of the father or mother of the child, householder or owner of the premises in which the birth occurred to notify the City Physician within ten days after the birth. It shall then in such case be the duty of the City Physician to secure the necessary information and signature to make proper certificate of birth.

Section 6. It shall be the duty of the City Physician to supply blank forms of birth and death certificates to such persons as are required by this Ordinance to file the same in his office, to demand and procure the filing of such certificates within the time herein specified, carefully to examine such certificate presented for filing, to see that they are properly filled out and signed and no certificate shall be considered to be complete that does not contain all the items of information called for therein, or satisfactorily account for the ommission. If any birth certificate is not complete upon presentation to the City Physician he shall immediately notify the person presenting the same of the defects therein and require him to file a proper certificate, and in case of a death certificate, notify the person presenting the same of the defects therein and with-hold the burial or removal permit until a complete and proper certificate is filed.

Section 7. Every person who in the City of Bend treats or examines for the purpose of diagnosis any person suffering or afflicted with, or who suspects that any person treated or examined by him is suffering or afflicted with any of the diseases classed as communicable diseases under the rules and regulations of the Board of Health of the State of Oregon, shall report such case to the City Physician within twenty-four hours after making diagnosis or suspecting the disease to be one required to be reported.

Section 8. It shall be the duty of the City Physician where a case of any communicable disease in which quarantine is required under the laws of the State of Oregon is reported, at once to cause to be placed in a conspicuous place on the house, both front and rear entrances to same where such cases exist, a quarantine card, flag or notice as provided,by the rules and regulations of the State Board of Health, and to prohibit entrance to or exit from such house without written permission from the City Physician, and every physician attending a person affected by any communicable disease as designated by the State Board of Health shall use such precautionary measures to prevent the spread of the disease as may be required by the City Physician. No person shall mar, remove or destroy or in any way obscure such quarantine notice which shall remain in place until

after the person affected is removed from such house or have recovered and is no longer capable of communicating the disease and the said house and the contents thereof have been properly cleaned and disinfected under the direction of the City Physician, and no quarantine shall be released excepting by order of the City Physician. Infected premises shall be funigated with disinfectants prescribed by the City Physician and for not less than six hours.

Section 9. When any premises are quarantine on account of a communicable disease it shall be the duty of the City Physician to provide for all persons confined in such place, food, fuel and all of the necessities of life including medical attendance, medicine and nurses when necessary and the expense so incurred together with a reasonable cost of disinfecting and fumigation when properly certified by the City Physician shall be paid by the person or persons quarantined when financially able to make payment; if not able to do so, to be paid by the City of Bend.

Section 10. The occupant or in case the premises are unoccupied, the owner of any building in Bend, wherein any person may have been sick of any communicable isease, on the death or recovery of such person, shall forthwith destroy by burning, or burying or disinfect under the direction of the City Physician, the clothes worn by such person during such sickness together with the bedding, carpets, curtains, draperies, furnishings, etc., and shall disinfect, cleanse and purify the room in which such sick person was confined and the City Physician shall see that the provisions of this Section are strictly enforced. No person attending upon or otherwise coming in contact with any person affected with any communicable disease in such manner or to such an extent as to render him or her liable to communicate the disease, shall go on any public way or in any way mingle with people not affected with such disease.

Section 11. No public funeral shall be held for any person who died of a communicable disease without the permission of the City Physician unless the casket containing the body has been first hermitically sealed.

Section 12. Whenever any person shall have died of small-pox the body shall be buried within twelve hours after death and shall not be removed from the building where such person shall have died until removed directly to the place of burial and it shall be unlawful for any person to attend such funeral except the immediate relatives of the deceased, pallbearers, not exceeding four in number, clergyman, undertaker and driver of the hearse.

Section 13. No person affected with a communicable disease shall be moved from one building to another without the permission of the City Physcian. No vehicle used for the purpose of carrying passengers shall be used for transporting a person afflicted with any communicable disease unless by permission of the City Physician.

Section 14. The City Physician is hereby directed and empowered when in his judgment it is necessary to protect the public health to make or cause to be made examination of persons reasonably suspect of being infected with venereal disease and to detain such person until the results of such examination are known; to report for treatment to a reputable physician and continue treatment until cured or to submit to treatment provided at public expense until cured and also when in his judgment it is necessary to protect the public, health to isolate, or quarantine those infected with venereal disease. It shall be the duty of the City Physician to investigate sources of infection of venereal disease, to co-operate with the proper officials whose duty it is to enforce laws directed against prostitution and otherwise use all proper means for prevention of prostitution.

Section 15. It shall be the duty of every physician, representative of a religious denomination, nurse, parent, guardian or other person having the knowledge of any person afflicted with pumonary tuberculosis within said City immediately to report the same to the City Physician.

Section 16. All articles intended for consumption as human food shall be protected from contamination by flies, dirt, human contact or any other source whatever, and the City Physician shall have full power to enforce the provisions of this Section.

Section 17. Nothing in this act shall be construed to empower or authorize the City Physician in any manner to interfere with the individual right to select the physician or mode of treatment of his choice nor to interfere with the practise of any person whose religion treats or administers to the sick or suffering by purely spiritual means, provided however, that all sanitary rules, and regulations are complied with.

Section 18. Any person violating the provisions of this Ordinance shall be subject to a fine of not less than $5.00 or more than $200.00 or by imprisonment for not less than ten days nor more than one hundred days or by both such fine and imprisonment.

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ORDINANCE NUMBER (N.S.) 136 Book 3 - Ord. 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.

The City of Bend does Ordain as follows:

Section 1. The words "intocicating 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:

(a) 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.

(b) 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.

(c) 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.

(d) Who is a registered pharmacist conducted 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.

(e) 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 pfofession 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 so 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 premises, 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 ordin-

ance, 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 defendants 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 maintaining 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 maintaing 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

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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 aforesaid, 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 Municipal Court.

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

Section 13. 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 placeof 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 admisssable to prove the evidence of such public nuisance.

Section 14. In all prosevutions 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.

Section 15. 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 of 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, 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. 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.

ORDINANCE NUMBER (N.S.) 137 Book 3 - Ord. 223

An Ordinance regulating dancing and dance halls in the City of Bend, and providing a penalty.

The City of Bend does Ordain as follows:

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 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 3. 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 4. 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 5. 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 Difision 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 6. 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 $1.00
Dances included in Division C, permit for one dance $2.50
Permit for not more than one dhance for each week, quarterly, $10.00
Permit for not more than three dances each week, quarterly, $20.00
Permit for not more than six dances each week, quarterly, $30.00

Section 7. 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 8. No permit issued under the provisions of this Ordinance shall be transferred unless the Chief of the Fire Department be notified of such proposed transfer and gives consent thereto.

Section 9. Every permit shall be given subject to the condition and provision that the Chief of the Fire and/or Police Department 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 Chief of the Fire and/or Police Department admission thereto at any and all times while the same is being used for a dance, and it shall be the duty of such Chief of the Fire and/or Police Department 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.

Section 10. It shall be the duty of the Chief of the Fire and/or Police Department 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 11. 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 Chief of the Fire Department, 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 dance hall after the hour of twelve o'clock midnight.

Section 12. 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 person in order that such person may obtain admission to such dance hall, or be permitted to remain therein in violation of this ordinance, provided however that this section shall not apply to any dance given under the supervision of the school authorities.

Section 13. Boisterous conduct and profanity shall be prohibited in dance halls and the hall ways 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 such place. No undue familiarity shall be permitted.

Section 14. The hall shall be brightly lighted during the progress of the dance and so-called "shadow dances" and "moonlight dances" are prohibited.

Section 15. No intoxicated person shall be permitted in any dance hall during the progress of any dance.

Section 16. Smoking shall not be permitted in the dance hall proper, in any anteroom reserved for ladies, or in the hallway leading to such dance hall.

Section 17. Boisterous conduct and profanity shall be prohibited in the hallways leading to the dance hall.

Section 18. 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 sixty days, or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 138 Book 3 - Ord. 253-248

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.

The City of Bend Does Ordain as follows:

CHAPTER 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 BUILDING 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 the 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	.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 first having 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 consition 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 roughted-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 watertest 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 of 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, easte 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 be 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.

CERTIFICATES 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 Ordiance, the Mayor with the approval of a majority of all the Commissioners, 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 Commissioners, or until his successor is elected, as above provided, and qualified. The Building Inspector shall receive such compensation as shall be fixed by the Commission.

BOARD OF APPEAR - 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 and 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 directly 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 fivteen (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, afform, 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 insantiry 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 Buildin Inspector shall attach to the written appeal a certified check in the amount of Ten ($10.00) Dollars in favor of the City Treasurer. 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 prosisions of this code, or who maintains in service any plumbing or drainage installed, constructed, altered or repairs 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 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 uded 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) Waster 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 disriptive 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 horizonatal piping of a house drainage system which received 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 of more premises to any outlet into a public wewer, or to an approved disposal plant.

SIZE OF PIPE -

Section 38. The given calibre or diameter of a pipe is its inside standard 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 COTTO 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__)

INSANITARY -

Section 44. The conditions to which the word "insanitary" 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 "insanitary" shall apply, shall not preclude the application of that term to conditions that are in fact insanitary.

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 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 bushins 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 pipe shall not be less than that specified in the following talbe:

INCHES	STANDARD PIPE Pounds	EXTRA HEAVY PIPE Pounds
2	$17\frac{1}{2}$	$27\frac{1}{2}$
3	$22\frac{1}{2}$	$47\frac{1}{2}$
4	$32\frac{1}{2}$	65
5	$42\frac{1}{2}$	85
6	$52\frac{1}{2}$	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 E.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 of an 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 the best quality cast iron or of best quality galvanized malleable iron.

LEAD PIPES -

Section 56. All lead pipes shall 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	4¾
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.

CHAPTER 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 permissable.

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 beused 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 providions of Section ___.

JOINTS ON THE SEWER SIDE OF A TRAP TO BE GAS AND WASTE 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 part of cement of an approved brand and two 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 necessary, 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 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 from 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, cauled 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 be reduce the diameter and in making the bends or working especial 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 cutting 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.

SUPPORT 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 by Y branches, $\frac{1}{2}$ 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, bur 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.

CONNECTION AND FITTINGS FOR SEWERS, SOIL AND WASTE LINES AND PIPE -

Section 84. No sanitary T or off-set shall be installed in a line other than a vertical line or in a line inclinded at an angle with the vertical greater than sixty-seven and one-half ($67\frac{1}{2}$) 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 connection 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 Sec. ____.

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.

BRANCES 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 notless 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	Pipe No.	Equivalent	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 case iron pipe is used the wrights 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 1¼" traps-

Number	Name of fixture. Wash basins, pantry sinks, drinking fountains, etc.	Size of waste
1 to 2	"	1¼"
3 to 6	"	1½"
7 to 16	"	2 "
17 to 30	"	2½"

Size of waste pipes for fixtures with 1½" traps-

Number	Name of fixture	Size of waste
1 to 4	Sinks, bath tubs, urinals	1½"
5 to 10	Laundry tubs, etc.	2 "
11 to 15	"	2½"
16 to 25	"	3"

Size of waste pipes for fixtures with 2" traps-

Number	Name of fixture	Size of waste
1 to 4	Slop sinks, urinals, laundry tubs, etc.	2"
5 to 16	"	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. Whereever possible, the T 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 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 feet above the roof. If a soil, waste or vent pipe be located within twelve 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"
Water closets with a trap separate from the fixture	4"
Slop sink, wash rack, catch basin, floor drain, bar gutter	2"

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 sahll 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 vegatable 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 inches with a water seal not less than four 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 insanitary 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 clean-out need not be greater than four inches, but for all stacks of lesser diameter than four inches, the clean-out shall have the same diameter as the stack. There shall be a clean-out 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 ($\frac{1}{4}$) of one (1) inch per foot, except where local condition 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 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 gallons of clear water at each flushing through a pipe, in diameter not less than one inch, connected to a tank of 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-outs 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 of one inch. The joint between the fixture and the flange shall be made gas and water tight by means of asbestos graphite 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 the other fixtures, be equipped with an approved check valve to prevent back flow of air.

CONSTRUCTION OF SAFES -

Section 116. If a safe to 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 ($1\frac{1}{4}$) inches.

FLOOR DRAINS -

Section 117. All floor drains, excepting stable floor drains, shall

be trapped, and shall be connected to the main drain.

Every tap 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 flushpipe 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 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.

CONSTRUCTION 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 24. 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 feet, provided with an outlet not less than six 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 nonsiphonic 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 drippipes shall not be connected directly with any sewer, house drain, soil or waste pipe.

REFRIGERATORS -

Section 128. No waste line from a regrigerator 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.

CHAPTER 4

REGULATING SEWER CONNECTIONS WITH REAL ESTATE WHICH HAS NOT BEEN SPECIALLY ASSESSED FOR THE CONSTRUCTION OF SUCH SEWER -

Section 130. 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; it it appears that said tract has not been specially assessed to pay its proportionate share 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 whenever the same shall be specially assessed for the construction of a sewer.

SECTION 131. 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.

ORDINANCE NUMBER (N.S.) 139 Book 3 - Ord. 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.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

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 hunder 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, guarenteeing the repaymnet 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 moniesof 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 depositiries 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 funds 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 os 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 appliced 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 4% 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 _____ sahll at the beginning of each and every month, render to the City Treasurer a statement showing the faily balance of the city monies held by it during the month next preceding, and the interest thereon, and shall well and truly keep all 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 wirtten.

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 ation to be brought in the name of the City of Bend.

ORDINANCE NUMBER (N.S.) 140

An Ordinance regulating private business and licensing the same, and providing a penalty for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

ARTICLE I.
ASTROLOGERS

Every person proposing to engage, within the City of Bend, in the business of an astrologer, soothsayer, phrenologist, seer and/or fortune teller of any and all descriptions, shall first make written application for permission so to do and file the same with the City Manager; and said City Manager may grant or refuse such permission in his discretion as to the Public welfare; if such permission be granted, the City Recorder shall issue to the applicant upon the payment of the license hereinafter specified; if such permission be not granted, then such license shall not issue.

ARTICLE II
AUCTIONEERS.

Section 1. Every person who shall at public outcry offer for sale as principal or agent, any article of merchandise or property to the highest bidder, shall be deemed an auctioneer. For license purposes auctioneers shall be classified and grouped as follows:

CLASS 1. Special Auctioneer: A special auctioneer is hereby defined as any auctioneer who sells or offers for sale any stock of merchandise which has not been for six months immediately preceeding said sale, or offered for sale, a part of the regular City of Bend stock of a merchant or dealer doing business in Bend.

A stock of merchandise is hereby defined as goods or chattels purchased by the owner for the purpose of resale.

CLASS 2. General Auctioneer: A general auctioneer is any auctioneer not a special auctioneer.

Section 2. It shall be unlawful for any person to act as an auctioneer within the corporate limitsof the City of Bend without first having obtained a license as hereinafter provided.

Section 3. No person, persons, firm and/or corporation shall conduct any auction sale within the City of Bend, nor shall any auctioneer sell property at a public sale to the highest bidder or at public outcry, before obtaining a license therefor from the City Recorder of said City; provided however, that this provision shall not apply to any sale under execution by guardians, executors, or administrators under any valid decree or judgment of any Court, or to residents of the City of Bend when selling their own household property.

Section 4. No auction sale shall be conducted except during daylight hours of any day.

ARTICLE III.
PEDDLERS AND HAWKERS.

Section 1. As used in this Ordinance, the terms "Peddler", "Hawker" or "Street Vendor" are defined to be any person, firm or corporation who sells or offers for sale from the street or from any stand, vehicle or otherwise, any article of merchandise upon any public thorough-fare or from any doorway, recess, alleyway, vacant lot or other place facing on a street not within a building, or any article of merchandise other than the sale of newspapers and/or other periodical literature.

Section 2. It shall be unlawful for any person for himself or as agent for another to peddle or hawk, or to engage in the business and/or occupation of peddling or hawking within the City of Bend without first securing a license so to do.

Section 3. For license purposes peddlers shall be classified as follows:

Class I: Those using any vehicle.

Class II: Those on foot.

Provided, however, that this Article shall not apply to persons peddling newspapers or Bibles, and/or farmers or persons peddling the products of their own farms or gardens.

Section 4. For license purposes, hawkers shall be classified as follows:

Class I: Those hawking patent medicines.

Class II: Those hawking any other articles, goods, wares, merchandise or other commodities at retail while travelling from place to place within the said City, or from a stand or vehicle upon any street, alley, highway, public or private ground within the corporate limits of said City, and whenever more than one person shall sell or offer to sell from the same stand or vehicle, each of said persons shall be required to have the license herein provided for; provided that this Article shall not apply to persons peddling newspapers, Bibles or to any farmer or person peddling the products only of their own farms or gardens.

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Section 5. No person, firm or corporation shall follow the business and/or occupation of a peddler, hawker or street vendor as herein defined upon any of the following named thorough-fares in the City of Bend, to-wit:

Wall Street, from the South line of Greenwood Avenue to the North line of Louisiana Avenue; Bond Street from the South line of Greenwood Avenue to the North line of Louisiana Avenue; Greenwood Avenue, from the East line of Brook Street to the West line of Harriman Street; Oregon Avenue, from the East line of Brook Street to the West line of the alley in Block Fifteen Original City of Bend; Minnesota Avenue, from Wall Street to the West line of Lava Road; Franklin Avenue, from the East line of Broadway to the West line of the alley in Block Seventee, Original Townsite of Bend.

ARTICLE IV
SOLICITORS

Section 1. A solicitor is defined to be any person who goes from house to house or from place to place in the City of Bend, selling or taking orders for, or offering to sell or take orders for any goods, wares, or merchandise or any other commodity 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, excepting interstate commerce.

Section 2. It shall be unlawful for any person to act as a solicitor within the meaning of this Article without first securing a license from the City Recorder.

Section 3. All orders taken by any licensed solicitor shall be in writing in duplicate, stating the terms thereof, the amount paid if any, the duplicate to be given to the purchaser.

ARTICLE V
PHOTOGRAPH SALESMEN.

Section 1. It shall be unlawful for any person to sell or solicit for sale on the streets, or from house to house, any photograph or photographs by means of or aided by coupons or their equivalent, or otherwise, without first procuring a license as herein provided, or for any person to make any frauduletn or misleading statements with reference to such sale or solicitation, or to use any coupon other than the one filed with the City Recorder with the application for the license, or to alter or change such coupon in any manner.

Section 2. An application for such license shall set out the complete plan of selling, a copy of the coupon to be used, and such other information as the City Recorder may require.

ARTICLE VI.
HOTELS, ROOMING HOUSES AND LODGING HOUSES.

Section 1. No person shall conduct, keep, manage or operate, or cause to be conducted, kept, managed or operated, either as owner, lessee, agent or attorney any hotel, rooming house or lodging house within the corporate limits of the City of Bend without first obtaining a license from said City so to do.

Section 2. The word "Person" wherever used in this Article shall mean and include natural persons, co-partnerships, corporations and associations, and shall include persons of both sexes. The word "House" shall mean and include hotels, rooming and lodging houses where rooms are equipped for sleeping purposes and are rented for periods of less than one month.

Section 3. The City Manager shall examine into and investigate the character and qualifications of all applicants for licenses, required by this Article, and such license is to be issued by the City Recorder only upon the written recommendation of such Manager; and the power to revoke such licenses, so granted, for good cause is specifically reserved unto such Manager and unto the Commission, acting jointly or separately; provided, however, that such revocation by said Manager may be appealed to the Commission within five days from the date of such revocation.

Section 4. No license shall be issued to any person to conduct a hotel, rooming house or lodging house within the City of Bend unless such person is of good moral character, can read, write, speak and understand the English language; and whenever an application for for such license is made, the applicant shall present for himself and/or herself to the City Manager satisfactory proof of good moral character, and ability to read, write, speak and understand the English language, and such application must be presented by such applicant in person; provided however, that if such appliation is made for and/or on behalf of any co-partnership, corporation or association, such application must be made by the Manager, officer, agent

or other person who will have the charge and/or management of such hotel, rooming house or lodging house.

Section 5. No license issued as in this Article provided shall be transferred or assigned.

Section 6. No person to whom a license shall be issued, as provided in this Article, shall suffer or permit the hotel, rooming house or lodging house to which such license relates, to be used as a house of ill fame, brothel, bawdy-house, house of assignation or disorderly house, for the purposes of prostitution, fornication, adultery or lewdness; or suffer or permit any lascivious cohabitation, adultery, fornication or other immoral practice to be carried on therein.

Section 7. Every person to whom a license shall have been issued to conduct a hotel, rooming house or lodging house shall at all times keep a standard hotel register, in which shall be inscribed the names of all guests or persons renting or occupying rooms in such house, which register shall be signed by the person renting a room or rooms, or by someone under his direction. Such registration must be made, and after the name or names so inscribed or registered, the manager of the house, or his agent, shall write the number of the room or rooms which such guest or person is to occupy, together with the time when such room is rented. All of which shall be done before such person is permitted to occupy such room or rooms. Such register shall be at all times open to inspection by any guest of such house and to any executive or peace officer of said City or the State of Oregon.

Section 8. It shall be unlawful for any person to write, or cause to be written, in any such register any other or different name than the true name of such person, or the name by which such person is generally known.

Section 9. No room shall be assigned to two persons of the opposite sex, except in case of minor children accompanied by his or her parent or guardian, unless such persons shall be registered as husband and wife.

Section 10. Any person to whom such license shall be issued, as provided in this Article, shall cause each sleeping room and/or apartment in such house, to which his license relates, to be numbered in plain and conspicuous manner, the number to be placed on the outside of the door to such room, and no two doors shall bear the same number.

Section 11. When a license shall have been issued to any copartnership, corporation, or association to conduct a hotel, rooming house or lodging house, any person having charge, management or control of such hotel, rooming house or lodging house shall be liable to prosecution for any violation of the provisions of this Article.

Section 12. It shall be unlawful for any person who conducts a hotel, rooming house or lodging house to permit gambling or the use and/or sale and/or possession of intoxicating liquor therein.

Section 13. Such license shall contain the nationality of the licensee and he shall at all times, keep the same conspicuously displayed; provided, that if such licensee is an alien he shall also have displayed therewith a card or sign showing the nationality of all employees of such hotel, rooming house of lodging house.

Section 14. The City Manager and/or the Commission may cancel and revoke any license issued hereunder for the violation of any of the provisions of this Article, as provided in Section 3 hereof. Before such cancellation or revocation however, the licensee shall be given personal notice by such Manager or Commission of a hearing to cancel or revoke, such notice to be not less than twenty-four hours before such hearing.

ARTICLE VII.
FOOD ESTABLISHMENTS

Section 1. The term "Food Establishments" as used in this Article shall mean and include hotels, restaurants, cafeterias, boarding houses, delicatessens and any other place where meals are publicly served to more than five persons. The word "person" shall mean and include any person, copartnership, association or corporation that is the owner, proprietor or manager of any such establisnment.

Section 2. It shall be unlawful for any person to open for business, conduct or maintain, or cuase to be opened, conducted or maintained any food establishment in the City of Bend without first procuring a license therefor as provided in this Article. No license shall be issued by the City Recorder for a food establishment until the application therefor has been investigated and approved in writing, by the City Manager.

Section 3. Any person conducting both a food and other establishment requiring a license at the same location shall not be required to obtain the license herein provided.

ARTICLE VIII.
BILLIARD, CARD AND POOL ROOMS

Section 1. A billiard, card and/or pool room shall be taken to mean

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any place where one or more billiard, card or pool tables are maintained, whether a charge or not is made for the use of said table or tables, except private clubs and homes where the general public not not permitted the use of such tables.

It shall be unlawful for any person to conduct or maintain any billiard, card or pool room within the City without first procuring a license therefore.

Section 2. Nothing contained in this Article shall prevent the operation of billiard, card and pool rooms, as herein defined, in the same room when under the same management. If any combination of said businesses be so operated they shall be, for the procuring of a license under this Article, considered to be one business only.

Section 3. There shall not be issued under this Article, more than one license for a billiard, card and/or pool room for every one thousand (1000) inhabitants of the said City of Bend, to be determined by any method which satisfied the Commissioners of said City as to the population thereof; provided however, that in the event the number of such places now licensed within the said City exceeds that which may be permitted under the provisions of this Article, such licenses may be continued and renewed so long as the present owners continue to operate the same and fully comply with all of the requirements of the Ordinance and Charter of said City.

Section 4. When the petition for a license under this Article has been granted, and the fee for the same has been paid to the City Recorder, he shall issue a license to the petitioner or petitioners provided that such applicants shall at the same time file with the said Recorder a Surety Company bond in a penal sum of Five Hundred Dollars ($500.00), conditioned that the holder of such license will comply with all of the conditions of this Article in the conduct of such billiard, card and/or pool room, said principal sum to be forfeited and paid unto the said City of Bend if such licensee be convicted of any violation of any Ordinance or law of the City of Bend, the State of Oregon, or the United States of America.

Section 5. Every public card room in the City of Bend shall be located upon the ground floor and the front wall of such room shall be so constructed, the entire width thereof, that a clear view may be had from the street of every part of the interior of such room by persons passing before the same upon the sidewalk of the public street adjacent to said building. Such front shall be made of transparent glass to within not less than four feet of the level of the sidewalk along the front of such room. There shall be no screens, partitions or other obstructions in such room, except they be of transparent glass.

Section 6. It shall be unlawful for the proprietor of any billiard, card and/or pool room in the City of Bend, his agent or employee, to permit any form of gambling therein with cards, dice or any other contrivance whatsoever, or to permit the sale or distribution of any intoxicating liquor therein, or to permit any person under the influence of intoxicating liquor in such room, or to keep or permit to be kept open such billiard, card and/or pool room later than twelve (12) o'clock P.M., of every day or to open the same earlier than seven (7) o'clock A.M., of every day.

Section 7. It shall be unlawful for the proprietor of any billiard, card and/or pool room in the City of Bend, his agent or employee, to permit any minor to enter or loiter in or about such room, or to engage in or play any game of billiards, cards or pool therein whether for an amusement or otherwise.

Section 8. It shall be unlawful for any minor to go into or remain in or about any such billiard, card and/or pool room.

ARTICLE IX.
VEHICLES FOR HIRE.

Section 1. It shall be unlawful for the owner, operator or driver of any jitney, taxi cab or for-hire car operating through or over the street and/or alleys of the City of Bend, as a public utility for hire in carrying passengers, to operate any such car without first having obtained a license therefor.

Section 2. No license shall be issued to any parson for a period longer than the first day of the succeeding year after such application is made.

ARTICLE X.
JUNK & SECOND HAND DEALERS.

Section 1. It shall be unlawful for any person to engage in the business of buying or selling of old lead, old metal, second hand sacks, rubber or any other article usually found in the junk shop or second hand store, second hand furniture of any kind or any other article of second hand merchanidse or property whatever, within the limits of the City of Bend, without first procuring a license therefor as hereinafter provided.

Section 2. The owner and driver of every cart, delivery wagon or other vehicle which he shall use for buying or selling any article of second hand merchandise, or anything as above mentioned, shall place the words "Junk Dealer", together with the number of his vehicle as named in his license upon each side of said vehicle in a neat and legible manner in letters and figures not less than three (3) inches land and proportionately wide, and said words and figures shall not be changed or removed while the vehicle is used for the purpose aforesaid. The owner or driver of every such vehicle, when not connected with a store or junk shop within said City, shall pay the same license as a junk dealer.

Section 3. All persons carrying on the business of keeping a junk shop or second hand store or shall use a vehicle in buying and selling junk or second hand merchandise of any kind, shall keep a register in which shall be entered in legible writing a description of all property purchased or received and the date thereof; such register shall be kept in the English language and shall be subject at all times to the examination of any peace officer of said City. When any article or articles as defined in this Ordinance are purchased from any person or persons under the age of twenty-one (21) years, the purchaser shall require a written statement from the parents or guardian of such person or persons that the seller is the owner thereof, and if the article has been purchased by him, then such statement shall give the name and residence of the party from whom he has purchased it and the date of such purchase.

Section 4. Any person carryong on such business as defined in this Article who shall refuse, fail or neglect to keep a purchase register or to exhibit the same to any peace officer of said City when requested so to do, or who shall fail to keep the record of such a register as above defined, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than $100.00 or by imprisonment in the jail of said City for not more than ten (10) days or by both such fine and imprisonment at the discretion of the Court, and in addition thereto shall forfeit any license he may have to operate such business. Any peace officer of said City shall have authority at all reasonable hours to examine such register and all articles kept in such shop or store.

ARTICLE XI
MOVING PICTURE SHOWS

Section 1. It shall be unlawful for any person, firm or corporation to operate or conduct a moving picture show in the City of Bend, without first having and obtained a license so to do from the City Recorder of said City.

Section 2. Said license shall be issued by the said City Recorder to any person applying therefore upon the payment of the fee hereafter stated. Said license shall be issued quarterly, and the applicant shall pay therefor the sum equal to the sum of two cents per quarter for every seat in said moving picture show house.

ARTICLE XII
CIRCUS, CARNIVAL, OPERATIC OR MECHANICAL SHOWS UNDER CANVAS AND OPEN SPACE OR AREA

Section 1. It shall be unlawful for any person to give or conduct any circus, carnival, operatic or mechanical show under canvas, open space or area within the city limits of the City of Bend where patronage of the public is solicited and an admission fee charged and/or collected without first having obtained a license so to do.

Section 2. The application for the license herein provided for shall be made in writing to the City Manager and the issuance thereof shall be in the discretion of the said City Manager with a right of appeal to the City Commission in the same manner as herein provided for upon the revocation of all licenses.

ARTICLE XIII
SHOOTING GALLERIES

Section 1. Every place or building where guns or pistols are kept for shooting at targets whether for hire or not, shall be considered a shooting gallery within the meaning of this Article.

Section 2. No person shall discharge any firearm in any shooting gallery within the corporate limits of the City of Bend where the noise resulting from such discharge can be heard further than a distance of three hundred feet from such shooting gallery, and all shooting galleries must be securely inclosed in such a manner that persons on the outside thereof shall not be endangered in any way by the discharge of the firearms therein.

Section 3. It shall be unlawful for any person or his agent to conduct a shooting gallery within the corporate limits of the City of Bend without first securing a license so to do.

ARTICLE XIV
BOWLING ALLEYS.

It shall be unlawful for any person or persons or their agents to conduct a bowling alley within the corporate limits of the City of Bend without first obtaining a license so to do. Provided, that every place

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or building where bowls are thrown open to the genral public, shall be regarded as a bowling alley.

ARTICLE XV
TRANSFER VEHICLES

Section 1. It shall be unlawful for any owner, operator or driver of any vehicle which shall be used for the conveyance of garbage, freight, baggage, packages, wares or merchandise of any kind from place to place within the City of Bend, for hire to operate such vehicle upon the streets or alleys of said City without first having obtained a license so to do, provided however, that any owner operator or driver of hand arts and vehicles used by merchants, dealers and manufacturers, moving their own property, and used esclusively for the delivery of their goods, wares and merchandise to their customers, and public utility vehicles operating under a franchise shall be exempt from the provisions of this Article.

Section 2. The term "vehicle" as used in this Article shall mean every conveyance or mechanism moving over or upon the streets or alleys of said City and used for carrying packages, goods or freight for hire, excepting railroads and street cars moving on rails.

ARTICLE XVI
MILK LICENSES

Section 1. It shall be unlawful for any person, firm or corporation to sell or keep for sale in the City of Bend any milk or cream without first obtaining a license as hereinafter provided and complying with the provisions of this Article, provided however, that those purchasing milk or cream in sealed standard bottles from a licensed milk dealer and selling the same without opering the said bottles, and all operators or fountains, restaurants or hotels serving milk as a part of the lunches or meals only shall be exempt from the provisions of this Article.

Section 2. Any person desiring a license to sell, dispose of, or keep for sale any milk or cream within the City of Bend shall first make application in writing to the City Recorder of said City which said application shall set forth with certainty the following:

I. The Name and place of location of the business of applicant, if said applicant is a producer of milk and cream, the location of the dairy which produces the milk or cream; if the applicant is not a producer of milk or cream; then the name of the person or persons from whom he obtains or is about to obtain milk or cream and the location of the dairy herd producing the same.

II. That the applicant has a certificate from the State Dairy and Food Commissioner showing
   (a) That the cows from which said milk or cream is produced have passed the tuberculine test provided for by the laws of Oregon.
   (b) That the stables or barn in which said cows are kept are well ventilated, thoroughly cleansed and kept in good healthful condition, and that such cows when kept therein are allowed at least 500 cubic feet of air space each and are not confined facing each other closer than ten feet.
   (c) That the process of miling said cows is done in a clean and orderly manner, and that the milk produced thereby is properly strained and cooled so as to produce a wholesome food.
   (d) That if the applicant is using a pasteurizing plant; that such plant has been inspected and found to be in perfect operating condition.

III. That the applicant will not sell or offer for sale any milk or cream other than that authorized under the certificate of inspection held by such applicant.

IV. That the applicant will cause said dairy, dairy herd, stables and other equipment to be inspected by like authorities at least once in every six months thereafter and produce to the City Recorder a certificate showing the condition of his herd, stable and equipment as required under Section 2, paragraph two of this Article. Sub-Section "b".

V. That the applicant will comply with all lws of the State of Oregon with regard to registration of trade marks and containers.

VI. The number of quarts per day to be marketed by the applicant.

Section 3. Upon the payment of the required fees as hereinafter provided, the Recorder shall issue a license setting forth the license number and date of the expiration of said license, and said license numbe shall be legibly painted in a conspicuous place on the sides of each vehicle used in the sale of distribution of such milk or cream.

Section 4. Every person who shall sell or offer for sale milk or cream in the City of Bend shall place a label on the container of said milk or cream, or if sold in bottles upon the caps thereof, stating the name of the dairy, whether or not pasteurized and the number of the

license of the City of Bend under which such person is operating.

Section 5. No person shall sell, deliver or expose or hold for sale in the City of Bend for human food any milk from which the cream or any part thereof has been removed unless the same shall be contained in cans or bottles plainly labeled.

Section 6. If, upon examination by the City Health Department, should any milk or cream be found to contain a bacterial count in excess of three thousand per cubic centimeter or the presence of colon bacilli or the milk found to be dirty, the sale of milk by such persons, firm or corporation licensed, shall be suspended until the bacilli count shall be reduced to the maximum allowable limit and/or colon bacilli and evidence of dirt removed from said milk or cream.

Section 7. Any milk sold or delivered to customers in quantities less than one gallon at one time shall be in standard glass bottles labeled and sealed as provided by the Laws of the State of Oregon.

ARTICLE XVII
TRANSIENT MERCHANTS

Section 1. The term "transient merchant" as herein used shall mean and include every person engaged or participating in a temporary or transient business of selling or exhibiting for sale goods, wares or merchandise in any room, building or structure whether such transient merchant be established with any local dealer or not, unless such temporary or transient business be continued upon the premises regularly occupied by such local dealer.

Section 2. No person shall engage or participate in the business of transient merchant in the City of Bend without obtaining a license therefore as herein provided.

Section 3. Such license shall be issued by the City Recorder and shall have indicated thereon the month and the day or days for which such license is granted.

Section 4. The sale of each article by any transient merchant without a license therefor shall be deemed a separate offense under and a separate violation of this article.

Section 5. Any person charged by complaint filed in the Municipal Court of being engaged in the business of a transient merchant without first having obtained a license so to do, and who claims to be a permanent merchant may, at the discretion of the Court andin lieu of the payment of the fine or other penalty and as a condition of transacting business as a vendor of merchandise without the payment of such license fee, give a Surety Company bond to the City of Bend in the penal sum of One Thousand Dollars ($1,000.00) conditioned to secure the payment of the license fee and/or fine required in the event that he fails to become a permanent merchant. Provided that if such person remains in business in the City of Bend continuously for six months, he shall be considered and deemed a permanent merchant instead of a transient merchant.

ARTICLE XVIII
WOOD SAWS

Section 1. It shall be unlawful for any person, persons, firm and/or corporation, owning or operating any wood-saw run by steam, electric, gasoline or other power capable of operating the embodiment or machine commonly termed "power wood-saw" on any street or alley within the corporate limits of the City of Bend without first obtaining a license therefor, said license to be issued for not less than one (1) year. Provided, no license shall be issued until applicant makes a showing, satisfactory to the City Manager, that such saw is in good mechanical condition and will be operated and transported with safety to the general public.

ARTICLE XIX
APPLICATION FOR LICENSES

Section 1. All applications for licenses, unless otherwise provided in this Ordinance, shall be made in writing to the City Manager.

Section 2. Licenses for astrologers, auctioneers, circuses, carnivals, operatic or mechanical shows, hawkers, peddlers, street vendors, Photograph salesmen and solicitors shall be issued daily. Licenses for billiard and/or pool rooms, shooting galleries, bowling alleys, second hand dealers, junk dealers and food establishments shall be issued quarterly. Licenses for hotels, rooming houses, lodging houses, milk vendors, vehicles for hire and/or transfer vehicles shall be issued yearly. All quarterly licenses shall expire March 31, June 30, September 30 and December 31 of each year, and all yearly licenses shall expire on December 31.

Section 3. All licenses shall be posted or kept in such a place that such licenses may be immediately produced so that any peace officer of the City of Bend may enter, at any reasonable time, any place for which a license is required for the purpose of examining the license or for the inspection of the premises.

Section 4. No licenses issued under this Ordinance shall be assignable or transferable unless the Commission of the City of Bend by resolution shall approve such assignment and transfer.

Seation 5. Any provisions providing licenses for persons engaged in

any form of interstate commerce shall be construed to apply to the business done within the State of Oregon, and done to or from the City of Bend, and shall not apply to any business done to or from points outside of the State of Oregon or business done by or for the Government of the United States.

Section 6. Any error in classification or return made by any officers or employee of the City of Bend shall not preclude the City from collecting the full amount of the license fee due under this Ordinance.

Section 7. All licenses shall be subject to any regulations now or hereafter imposed by the City and shall at all times be subject to revocation by the City Commission.

Section 8. Any person who advertised or otherwise holds himself out to the public as engaged in any business, profession, trade or calling for which a license is required shall be presumed as holding himhelf out to the public as so engaged and shall be liable for the license fee as herein provided.

Section 9. Any person in whose name any hawker, peddler, junk wagon or second hand dealer's license is issued shall be deemed responsible for all action of the person in charge of the vehicle or business.

ARTICLE XX.
REVOCATION OF LICENSES.

Section 1. All licenses shall be subject to the regulations now or hereafter imposed by the City and nothing in this Ordinance shall be construed to create the vested right of any person to the assignment, renewal, reissuance or continuance of any license, and the right shall be and remain at all times vested in the Commission, and the Commission may revoke and cancel any license misrepresented in its procurement; or for a violation of any of the provisions of this Ordinance or any other Ordinance of the City of Bend or of any State of Federal Statute, or for any conduct or act of the licensee, or his employees is permitted by him or them on the premises where such business is conducted, or in connection therewith, tending to render such business on such premises where the same is conducted a public nuisance, or a menance to the health, business or general welfare of said City, or whenever in the judgment of the City Commission the public interest demands such revocation.

Section 2. Whenever the Commission desires to investigate or revoke any license it shall notify or cause to be notified, in writing the licensee of the time and place of the hearing or investigation, such notice to be served not less than twenty-four hours before such hearing or investigation. Such hearing or investigation shall be informal and nothing shall prevent the Commission from considering any evidence developed during such hearing or investigation touching upon or concerning the fitness of the licensee to retain such license. If, on such hearing or investigation the Commission shall find that cause exists for the revocation of such license, the same shall be revoked by a majority vote of the Commission or the Motion entered in the Minutes.

Section 3. Whenever the Commission shall revoke the license of any person, firm or corporation holding a license under this Ordinance or any of its provisions or for any other reason it may at the same time also revoke any other license or licenses which such person, firm or corporation may have for the carrying on of any other busineses required to be licensed under the law of the City of Bend, and revocation of any license granted under any of the provisions of this Ordinance shall be deemed sufficient cause for the revocation of such other license or licenses as herein provided. Whenever a license to continue any business has been revoked by the Commission no further license shall be granted or reissued to the same person for the same or of different business without the approval of all members of such Commission, provided, however, that such approval shall not be made until the applicant has filed with the City Recorder of said City a Surety Company bond in the penal sum of One Thousand Dollars ($1,000.00), or deposit a like sum in cash with the City Recorder of said City and which bond or cash shall be forfeited to the said City in the event that such person is thereafter convicted of a violation of the Federal, State of City laws or Ordinances, for which such license might be revoked and such bond by which the term for which such license is granted shall not be suspended or cancelled during the life of such reissued license or a renewal thereof.

ARTICLE XXI

That the fees for licenses as provided by this Ordinance shall be:

Astrologers, etc.	$ 100.00	per day
Billiard, Card and Pool rooms, per quarter or fraction thereof	10.00	
For each table add.	2.50	
Bowling Alleys per quarter or fraction thereof.	2.50	per alley
Food establishments per quarter or fraction thereof	1.50	
Hawkers, Class I, per day or fraction thereof	4.00	
Class II, per day or fraction thereof	3.00	
Hotels, Lodging Houses and Rooming Houses per year or fraction thereof	10.00	
Junk and Second Hand Dealers per quarter or fraction thereof	5.00	
Moving Picture Shows per quarter or fraction thereof per seat.	.02	
Milk, 100 quarts per day, or more	25.00	per annum
50 to 100 quarts per day	15.00	" "
25 to 50 quarts per day	10.00	" "
5 to 25 quarts per day	5.00	" "
Under 5 quarters per day.	1.00	" "
Peddlers, Class I	4.00	per day
Class II	3.00	" "
Shooting Galleries per quarter or fraction thereof.	10.00	
Photograph Salesman, per day or fraction thereof.	5.00	
Solicitors per day or fraction thereof.	3.00	
Transfer vehicles per annum or fraction thereof	20.00	
Transient Merchants per month or fraction thereof	100.00	
Woodsaws per annum	25.00	
Vehicles for hire per annum	20.00	
Circus, each performance.	150.00	
Carnivals, a flat rate of	150.00	per day
and an additional for each concession therewith.	25.00	
Operatic, including dramatic shows. plus $10.00 each day thereafter.	50.00	per day
Special Auctioneers	25.00	per day
General Auctioneers	5.00	per day

ARTICLE XXII
PENALTY

Section 1. Any person violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding $300.00 or by imprisonment in the City Jail for a period not exceeding ninety (90) days or by both such fine and imprisonment.

ORDINANCE NUMBER (N.S.) 141

An Ordinance confirming, ratifying and adopting as ordinances of the City of Bend, the ordinances revised and codified pursuant to Section 28 of Chapter 10 of the Charter of said City of Bend, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Section 1. That the above and foregoing Ordinances, consisting of Ordinances New Series number 1 to 141 inclusive, as revised and codified pursuant to the provisions of Section 28 of Chapter 10 of the Charter of the City of Bend, be and the same are hereby declared to be the only valid and existing ordinances of the City of Bend, and that the said ordinances be and the same are hereby adopted as the ordinances of the said City.

Section 2. It is hereby adjudged and declared that existing conditions are such that the passage of this ordinance is necessary for the immediate preservation of public business, health and safety, owing to the confusing and ambiguous condition of the present existing ordinances, 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 City Commission and approval by the mayor.

First Reading March 14, 1929.
Second Reading, Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0

Submitted to and approved by the Mayor, this 21st day of Sept. 1932.

J. F. Hosch
Mayor

Attest:
L. G. McReynolds
Recorder.

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ORDINANCE (N.S.) 142

An Ordinance amending Section 1 of Ordinance Number N.S. 114, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Ordinance Number N.S. 114, be and the same is hereby amended to read as follows,

Section 1. No person shall hereafter construct, lease or occupy any building, within the corporate limits of the City of Bend, as a public garage and/or public service station, and/or any building in connection therewith, unless the same be a fireproof building, as defined in Ordinance Number N.S. 111. There shall at all times be maintained in every such building, used for the purpose aforesaid, one chemical fire extinguisher of not less than two and one-half gallons capacity where the floor space is less than two thousand square feet, and one additional chemical fire extinguisher for every additional two thousand square feet of floor space or any fraction thereof used for any of such purposes.

Section 2. It is hereby adjudged and declared that existing conditions are such that the immediate passage of this ordinance is necessary for the preservation of public business, health and safety, owing to the fact that the construction of any building for such purpose, not of fireproof material, increases the fire hazard of the city, 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 City Commission and approval by the mayor.

First Reading, April 3, 1929.
Second Reading, Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0

Submitted to and approved by the Mayor, this 21st day of Sept. 1932.

J. F. Hosch
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 143

An Ordinance providing for the licensing of persons selling ice cream and/or confections from vehicles upon the public streets and alley ways within the corporate limits of Bend, providing a penalty for the violation thereof, and amending Ordinance N.S. 140, by adding thereto Article XIXa, and amending Article XXI of said Ordinance, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance Number N.S. 140, be and the same is hereby amended by adding thereto Article XIXa, as follows:

ARTICLE XIXa

Section 1. It shall be unlawful for any person or persons to sell ice cream or confections from any vehicle upon any of the public streets or alley ways within the corporate limits of the City of Bend, without first procuring a license therefor from the City Recorder of said City.

Section 2. Any person or persons who violates the provisions of Section 1 of this Article, upon conviction thereof shall be deemed guilty of a misdemeanor, and shall be punished as provided in Article XXII of Ordinance No. N.S. 140.

SECTION 2. That Section XXII of Ordinance No. N.S. 140 be, and the same is hereby amended to read as follows:

SECTION XXII

That the fees for licenses as provided by this Ordinance shall be:

Astrologers, etc.	$100.00	per day
Auctioneers, general	5.00	" "
Auctioneers, special	25.00	" "
Billiard, Card and Pool rooms, per quarter, or fraction thereof	10.00	
For each table an additional	2.50	
Bowling alleys, per quarter or fraction thereof, Per alley	2.50	
Carnivals, a flat rate per day	100.00	
and for each concession an addition	25.00	per day
Circus, each performance	150.00	
Food Establishments, each quarter or fraction thereof	1.50	
Hawkers-		
Class I, per day or fraction thereof	4.00	
Class II, per day or fraction thereof	3.00	

Hotels, Lodging Houses and Rooming Houses, per year or fraction thereof	$ 10.00
Ice Cream and Confection vehicles, per annum or fraction thereof	10.00
Junk and Second hand dealers, per quarter or fraction thereof	5.00
Moving Picture shows, per quarter or fraction thereof, per seat	.02
Milk, 100 quarts or more per day, per annum	25.00
50 to 100 quarts per day, per annum	15.00
25 to 50 quarts per day, per annum	10.00
5 to 25 quarts per day, per annum	5.00
Under 5 quarts per day, per annum	1.00
Peddlers	
Class I, per day	4.00
Class II, per day	3.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesman, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	20.00
Transient Merchants, per month or fraction thereof	100.00
Woodsaws, per annum	25.00
Vehicles for hire, per annum	20.00
Operatic and Dramatic shows, first day	50.00
Each and every day thereafter, An additional	10.00

Section 3. It is hereby adjudged and declared that existing conditions are such that the immediate passage of this ordinance is necessary for the preservation of public business and health, owing to the fact that uninspected ice cream sold to the public is dangerous to health, and an emergency is hereby delcared to exist, and this ordinance shall take effect, and be in full force, from and after its passage by the City Commission and approval by the Mayor.
Fire Reading, May 5, 1929.
Second Reading Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0

Submitted to and approved by the Mayor, this 21st day of Sept. 1932.

J. F. Hosch
Mayor

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 144

An Ordinance providing for the including of the sum of Five Dollars as Attorneys fees in the computation of the costs of selling property for delinquent improvement assessments.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the Recorder of the City of Bend, Deschutes County, Oregon, be, and he is hereby required to add the sum of Five and No/100 Dollars as attorneys fees in the computation of costs on all property sold within said city for and on account of delinquent improvement assessments.

Section 2. That an emergency exists by reason of the fact that there is a large amount of delinquent improvement assessments at this time, and the same are to be foreclosed as provided in the Charter of the City of Bend, and unless this Ordinance be immediately passed the City will not be able to collect allof the costs of such foreclosure, and this Ordinance shall take effect upon the passage thereof and its approval by the Mayor.
Read First time, January 2, 1930.
Second Reading, Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0

Submitted to and approved by the Mayor, this 21st day of Sept. 1932.

J. F. Hosch
Mayor

Attest:
L. G. McReyolds
Recorder.

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ORDINANCE NUMBER (N.S.) 145

An Ordinance to amend Section 1, Ordinance Number N.S. 95.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Ordinance Number N.S. 95, be, and the same is hereby amended to read as follows:

Section 2. Each and every person who shall deal, carry on or play, either as owner, proprietor or employee, whether for hire or not, any game of faro, monte, roulette, poker or any other game played with cards, dice or any other device, for any representative of value, shall be guilty of a misdemeanor and upon conviction thereof, before the Municipal Judge, shall be punished by a fine not exceeding Five Hundred Dollars, or by imprisonment in the city jail not to exceed six months, or by both such fine and imprisonment in the discretion of the Judge.

Read first time, January 2, 1930.
Read second time and passed January 15, 1930.
Yeas: 2
Nays: 0

Approved this 15th day of January, 1930.

Geo. P. Gove
Mayor

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 146

An Ordinance to repeal Ordinance Number N.S. 127.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance Number N.S. 127 be, and the same is hereby repealed.

First Reading, January 2, 1930.
Second Reading and Passed, January 15, 1930.
Yeas: 2
Nays: 0

Approved this 15th day of January, 1930.

Geo. P.Gove
Mayor

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 147

An Ordinance amending Article XXI of Ordinance N.S. 140 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Article XXI of Ordinance N.S. 140 be, and the same is hereby amended to read as follows, to-wit:

ARTICLE XXI
LICENSE FEES.

Sec. 1 The fees for all licenses, as provided by this Ordinance, shall be as follows, to-wit:

Astrologers, etc., per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
For each additional table over one	2.50
Bowling Alleys, per alley, pr quarter or fraction thereof	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class I, per day or fraction thereof	4.00
Class II, per day or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof	10.00
Junk and Second Hand Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat, per quarter or fraction thereof	.02
Milk Dealers, per year, distributing	
Less than 5 quarts per day	2.50
From 5 to 25 quarts per day	5.00
From 25 to 50 quarts per day	10.00
From 50 to 100 quarts per day	15.00
From 100 to 300 quarts per day	25.00
From 300 to 500 quarts per day	35.00
From 500 to 700 quarts per day	50.00
From 700 to 900 quarts per day	75.00
Over 900 quarts per day	100.00

Peddlers, Class I, per day or fraction thereof	$ 4.00
Class II, per day or fraction thereof	3.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesman, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per Annum or fraction thereof	20.00
Transient Merchants, per month or fraction thereof	100.00
Woodsaws, per annum	25.00
Vehicles for Hire, per annum or fraction thereof	20.00
Circus, each performance	150.00
Carnivals, per day	150.00
Plus $25.00 for each concession therewith, concession fee to be paid once only.	
Operatic and Dramatic Shows, First day	50.00
With an increase of $10.00 for each and every day thereafter, as $60.00 second day, $70.00 third day, $80.00 fourth day, etc.	
Auctioneers, Special, per day	25.00
General, per day	5.00

Section 2. Whereas the milk dealers operating in the City of Bend have failed to pay their respective license fees for the year 1930, pending the passage of the schedule herein provided to be paid for said licenses, and the fact that such unlicensed dealers are now operating in said City is a detriment to the health and safety of the citizens of said City, and an emergency is hereby declared to exist by reason of said facts, this Ordinance shall take effect from and after its passage and approval by the Mayor.
First Reading, February 5, 1930.
Second Reading, Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0
Submitted to and approved by the Mayor, this 21st day of Sept. 1932.

J. F. Hosch
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 148

An Ordinance providing for the securing and filing, with the City Recorder, of petitions signed by not less than sixty per centum of the property owners within a radius of five hundred feet from any proposed gasoline service station before the issuance of the building permit, as provided by Ordinance N.S. Number 111; and providing for a penalty for the violation of this ordinance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Before the City Recorder of the City of Bend shall issue any building permit for the erection, construction or establishment of any building or buildings to be used as a gasoline service station, the applicant for such permit shall procure and file with the Recorder a petition of property owners within a radius of five hundred feet from the center of the property on which proposed station is to be erected, constructed or established, requesting the Commission of the City of Bend to allow such permit to be issued by the said Recorder.

Section 2. If such petition does not contain sixty per centum of the names of such owners of real property no permit for such erection, construction or establishment of such service station shall be issued.

Section 3. If such petition contains less than eighty per centum of the names of such owners of real property within such radius, the granting or refusing of the issuance of such permit shall be within the discretion of the Commission of the City of Bend, and shall not be franted if it appear unto the Commission that the granting of the said permit would be detrimental to public health, safety or the welfare and growth of the City of Bend.

Section 4. Any person, firm, partnership or corporation erecting, constructing or establishing such service station without first procuring and filing the petition as herein provided shall, upon conviction thereof in the Municipal court, bepunished by a fine of not more than Five Hundred Dollars, or by imprisonment in the City jail for a period of not more than sixty days, or by both such fine and imprisonment; provided further, that any building erected, constructed or established in violation of this ordinance shall be deemed a public nuisane and

the same shall be abated.
First Reading March 5, 1930.
Second Reading, March 19, 1930.
Yeas: 3
Nays: 0

Approved this 19th day of March, 1930.

Geo. P. Gove.
Mayor

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 149

An Ordinance vacating a portion of the alley in Block 1, North Addition to the City of Bend, Deschutes County, Oregon, and declaring an emergency.

WHEREAS, the owners of all lots and parcels of land located within Block 1 of the recorded plat of North Addition to the City of Bend, Deschutes County, Oregon, said lots and parcels of land being adjacent to and immediately adjoining the alley of said Block 1, did file in the office of the Recorder of said city, a petition praying for the vacation of a portion of the alley in said Block 1, and

WHEREAS, such petition was so filed on the 11th day of February, 1930, and

WHEREAS, Notice of the filing of said petition was duly given by posting written notices thereof at three of the most public places in said City on the 11th day of February, 1930, which was not more than thirty days prior to the hearing upon said petition by the Commissioners of said City, the facts of said posting being more fully set forth in the affidavit of Robert B. Gould on file in these proceedings, and

WHEREAS, it appears that the petitioners are the owners of all the real property adjacent to and immediately adjoining the alley in said Block 1 of the recorded plat of North Addition to said City, and are the only parties affected by the vacation of any portion of said alley, and

WHEREAS, upon the hearing of said petition by the Commission of the City of Bend no objection was interposed to the granting thereof, and at this time no reason appears why the same should not be granted, now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the following described portion of the alley in Block 1 of the recorded plat of North Addition to Bend, Oregon, be, and the same is hereby, vacated, to-wit: All that portion of said alley lying north-easterly from the line between lots 7 and 8 of said Block 1, as produced north-westerly, being more specifically described as follows, to-wit: Beginning at the northeast corner of Lot 13 of said Lot 1, North Addition to Bend, Oregon, thence South 38 33' 30" W. for 100.35 feet along the north-westerly margin of said alley to the southerly corner of said lot 13; thence South 51 26' 30" E. for 20.00 feet to the westerly corner of lot 7 of said Block; thence North 38 33' 30" E. along the south-easterly margin of said alley for 116.31 feet to the north-westerly corner of Lot 3 of said Block; thence South 89 57'41" W. for 25.59 feet to the point of beginning.

Section 2. Inasmuch as considerable improvement for the area contained within the limits of said alley hereby vacated is pending, and such improvement is contingent on the vacation thereof, and it appearing that no injury will occur to the general public or any individual by reason thereof, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Commission of the City of Bend and its approval by the Mayor.

Read the First time, March 19, 1930.
Second Reading, Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0

Submitted to and approved by the Mayor, this 21st day of Sept.1932.

J. F. Hosch
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 150

An Ordinance requiring any person, firm or corporation maintaining and/or operating any system for the transmission of electric power by use of wire or cable within the City of Bend, Deschutes County, Oregon, to pay unto the City of Bend certain sums of money for the use of the public streets, alleys and/or public grounds of the City of Bend.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Any person, firm or corporation, now or hereafter, maintaind and/or operating any system for the transmission of electrical power by use of wire or cable within the City of Bend, Deschutes County, Oregon, and in connection therewith using the streets, alleys and/or public grounds of said City upon which to erect and maintain any post or pole to support the wires or cable, or any apparatus in connection with such transmission, shall pay to the City of Bend the sum of twenty cents a month for each and every post or pole placed and maintained by any such person, firm or corporation, for such purpose, upon any of the streets, alleys and/or public grounds of the said City, for the privilege of, and as compensation for, such use of said streets, alleys and/or public grounds.

Section 2. The sums payable hereunder shall be due and payable in advance, on the first day of each and every month after this ordinance shall go into full force and effect, and may be recovered in any appropriate suit, action or proceeding prosecuted in any court of competent jurisdiction in the name of the City of Bend.

Section 3. Nothing herein contained shall be construed as recognizing, creating or granting a franchise to any person, firm or corporation to maintain and/or operate any system for the transmission of electrical power or to conduct such a business in the City of Bend.

First Reading, March 19, 1930.
Second Reading May 7, 1930.
Yeas 3
Nays 0

Approved by the Mayor this 7th day of May, 1930.

Geo. P. Gove
Mayor

Attest:
L. G. McReynolds
Recorder

ORDINANCE NUMBER (N.S.) 151

An Ordinance to Amend Sections One and Two or Ordinances N.S. 121, and declaring an Emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Ordinance N.S. 121 be, and the same is hereby, amended to read as follows, to-with:

"Sec. 1. The irrigation season in the City of Bend, for the sprinkling and irrigating of lawns and gardens, shall extend from April 1st to November 1st, both inclusive, of each year."

Section 2. That Section 2 of Ordinance N.S. 121 be, and the same is hereby, amended to read as follows, to-wit:

"Sec. 2. During the irrigation season, as herein defined, water users on the even numbered side of public thorough-fares shall irrigate and sprinkle on the even numbered days of each month, and the water users on the odd numbered side thereof shall irrigatie and sprinkle on the odd numbered days of each month, provided however, that on the 31st day of any month users on both sides of any thorough-fare may so irrigate and sprinkle, and provided further, that no person, firm or corporation, shall so irrigate and sprinkle before the hour of Four o'clock A.M., or later than the hour of Eleven o'clock P.M. of any day.

Section 3. Whereas the sprinkling season this year is more than one month earlier than is ordinarily necessary in this community, and large amounts of water are being drawn from the reservoirs of the water department, and there is danger of a shortage unless this Ordinance takes immediate effect, it is hereby declared that an emergency exists and this Ordinance shall be in full force and effect from and after the day of its passage and approval by the Mayor.

Read the First time April 16, 1930.
Read Second time May 7, 1930.
Yeas: 3
Nays: 0

Approved this 7th day of May, 1930.

Geo. P. Gove.
Mayor

Attest:
L. G. McReynolds
Recorder.

2RBGd

ORDINANCE NUMBER (N.S.) 152 Not Adopted.

ORDINANCE NUMBER (N.S.) 153

An Ordinance Amending Section 1 of Article VIII of Ordinance N.S. 140.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Article VIII of Ordinance N. S. 140 be, and the same is hereby amended to read as follows, to-wit:

Sec. 1. It shall be unlawful for any person, firm or corporation to own and/or operate, within the corporate limits of the City of Bend, any billiard, card and/or pool room without first securing a license therefor. A billiard, card and/or pool room shall, for the purposes of this Article, be deemed to be any place where one or more billiard, card and/or pool tables are maintained, whether or not a charge is made for the use thereof; provided, however, that such rooms when operated and owned by a fraternal organization and conducted on the premises of such organization, and all such rooms maintained in private homes and not open to use by the general public, shall be exempt from the provisions of this Article.

Read the First time, April 16, 1930.
Read the Second time, May 7, 1930.
Yeas: 3
Nays: 0

Approved this 7th day of May, 1930.

Geo. P. Gove.
Mayor.

Attest:
L. G. McReynolds
Recorder

ORDINANCE NUMBER (N.S.) 154

An Ordinance amending Ordinance N. S. 118, by adding thereto a new section to be known as Section 19-A.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance N. S. 118 be, and the same is hereby amended, by adding thereto a new section, to be known as section 19-A, said section to read as follows, to-wit:

Sec. 19-A. It shall be unlawful for any person, firm or corporation to operate any gasoline motor boat or steam propelled boat upon the water of the Deschutes River within the limits of the City of Bend.

Read the First time, April 16, 1930.
Read the Second time, May 7, 1930.
Yeas: 3
Nays: 0

Approved this 7th day of May, 1930.

Geo. P. Gove
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 155

An Ordinance granting unto The Pacific Telephone and Telegraph Company, its successors and assigns, the right to do a general telephone and telegraph business within the City of Bend, Deschutes County, Oregon, and the right to place, erect, lay, maintain, operate, repair, remove or replace, in, upon and under the streets, alleys, avenues, thoroughfares, public highways and public grounds in said City, poles, conduits, wires, cables and other appliances, and conductors for the transmission of electricity for telephone and telegraph purposes.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby granted by the City of Bend, Deschutes County, Oregon unto The Pacific Telephone and Telegraph Company, its successors and assigns, the right and privilege to do a general telephone and telegraph business within said City of Bend and to place, erect, lay, maintain and operate, repair, remove or replace, in, upon and under the streets, alleys, avenues, thoroughfares, public highways and public grounds, within the City of Bend, poles, conduits, wires, cables, and other appliances and conductors for the transmission of electricity for telephone and telegraph purposes. Such wires, cables, and other appliances, and conductors may be strung on poles and other fixtures above ground or at the option of the grantee, its successors and assigns, may be laid underground in pipes or conduits or otherwise protected, and such other apparatus may be used as may be necessary or proper to operate and maintain same.

Section 2. It shall be lawful for said The Pacific Telephone and Telegraph Company, its successors and assigns, to make all needful excavations in any of the streets, alleys, avenues, thoroughfares, public highways and public grounds in said City for the purpose of placing, erecting, laying and maintaining poles, conduits and other supports or conductors for said wires and cables or repairing, removing or replacing the same. Said work shall be done in compliance with the necessary rules, regulations, ordinances or orders now existing, or which may, during the continuance of this franchise, be adopted from time to time by the City of Bend.

Section 3. Whenever The Pacific Telephone and Telegraph Company, its successors and assigns, shall disturb any of the streets or public grounds for the purpose aforesaid, it or they shall restore the same to good order and condition as soon as practicable without unnecessary delay, and failing to do so the City of Bend shall have the right to fix a time which shall be reasonable within which such repairs and restoration of streets shall be completed, and upon failure of such repairs being made by said The Pacific Telephone and Telegraph Company, its successors and assigns, the City of Bend may cause such repairs to be made at the expense of said The Pacific Telephone and Telegraph Company, its successors and assigns.

Section 4. Nothing in this ordinance shall be construed in any wise to prevent the proper authorities of said City of Bend from sewering, grading, planking, rocking, paving, repairing, altering or improving any of the streets, alleys, avenues, thoroughfares and public highways or places within said City of Bend in or upon which the poles, wires or other conductors of said The Pacific Telephone and Telegraph Company shall be placed, but all such work or improvements shall be done so as not to interrupt the telephone or telegraph service being rendered by The Pacific Telephone and Telegraph Company, and if possible, so as not to obstruct or prevent the free use of said poles, wires, conductors, conduits, pipes or other apparatus.

Section 5. Whenever it becomes necessary to temprarily rearrange, remove, lower or raise the aerial cables or wires or other apparatus of the grantee to permit the passage of any building, machinery or other object, the said grantee will perform such rearrangement on seven (7) days' written notice to its Manager at Bend from the person or persons desiring to move said building, machinery or other objects. Said notice shall bear the approval of the City Engineer or such other official as the City Commission may designate, shall detail the route of movement of the building,machinery or other objects, shall provide that the costs incurred by the grantee in making such rearrangment of its aerial plant will be borne by the person or persons giving said notice and shall further provide that the persons or persons giving said notice will indemnify and save said grantee harmless of and from any and all damages or claims of whatsoever kind or nature caused directly or indirectly from such temporary rearrangment of aerial plant of the grantee.

Section 6. In consideration of this franchise and the rights and privileges hereby granted, the City of Bend shall have, and The Pacific Telephone and Telegraph Company hereby grantes to it, the right and privilege to place, where aerial construction exists, a fixture on the tops of poles erected and maintained under this franchise to which may be attached wires not exceeding four, and where underground conduit exists the said The Pacific Telephone and Telegraph Company shall furnish the said City with one duct in its underground system, to be used for low tension police and fire alarm purposes, it being understood that it shall be optional with the grantee as to whether two pairs of wires shall be given or a duct in the underground system. Provided, however, that said The Pacific Telephone and Telegraph Company shall not be responsible in any manner whatsoever for damages caused by the failure of said police or fire alarm systems, or any part thereof, to operate, and the City of Bend hereby agrees to hold said The Pacific Telephone and Telegraph Company harmless of and from any and all claims, damages or liability of any kind whatsoever caused, directly or indirectly, by the failur of said police or fire alarm systems, or any parts thereof, to operate.

Section 7. From and after the date of acceptance of this franchise and until its expiration, said grantee, its successors and assigns, shall pay annually to the City of Bend the sum of Six Hundred Dollars,($600.00) per annum. Payment of said Six Hundred Dollars shall be made or or before the 15th day of March of each and every year for the then calendar year, with the exception that in the year 1930, payment shall be made on or before September 1, 1930 for the period commencing on the date of this franchise and ending December 31, 1930.

Section 8. On the expiration of the term for which this franchise is granted, the City of Bend may in any lawful manner and upon payment of a fair valuation lawfully ascertained, purchase and take over to itself the property and plant of the grantee, its successors and assigns,

in its entirety as the same may be situated on, in, above or under the streets of the City of Bend, provided, however, that said valuation shall not include any sum for the value of this franchise, Upon payment by the City of Bend of a fair valuation, as above stated, the plant and property so acquired shall become the property of the City of Bend without formal execution of any instrument of conveyance.

Section 9. The rights, privileges and franchise hereby granted shall be subject to forfeiture at any time if the grantee, its successors or assigns, shall fail to comply with the terms and conditions of this ordinance, provided, however, the City of Bend shall first notify the grantee, its successors or assigns, stating the particulars in which there has been a failure to comply with the terms and conditions of this ordinance and thereafter if the grantee, its successors or assigns, shall fail to remedy the same within ninety days, or such further time as the Commission deems reasonable, then in that event the City of Bend may repeal this ordinance and declare the rights and privileges hereby granted to be null and void.

Section 10. The rights, privileges and franchise hereby granted shall continue and be in force for the period of twenty (20) years from and after the date of the passage of this ordinance.

Read the First time May 21, 1930.
Read the Second time June 6, 1930.
Yeas: 2
Nays: 0

Submitted and approved this 6th day of June, 1930.

Geo. P. Gove
Mayor

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 156

An Ordinance prohibiting the sale of or the discharge or firing of fireworks and other pyrotechnic displays and providing a penalty.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The discharge, firing or use of firecrackers, rockets, torpedoes, roman candles or other fireworks or substances designed and intended for pyrotechnic display and of pistols, canes, cannons or other appliances, using blank cartridges or caps containing chlorate of potash mixture is hereby prohibited; provided, that the Commission may permit the public display of fireworks by properly qualified individuals. Provided, also that such display or displays shall be os such a character and so located, discharged or fired as, in the opinion of the chief of the fire department, shall not be hazardous to surrounding property or endanger any person or persons.

Section 2. The sale of fireworks at retail is prohibited. The chief of the fire department may, at his discretion, remove or have removed, at the owner's expense all stocks of fireworks or other combustibles exposed for sale or held in stock in violation of this ordinance.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and be fined not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) for each day's neglect of compliance.

Section 4. Whereas at this time there exists a dangerious fire hazard by the reason of use and sale of fire works within the City and an emergency thereby exists this ordinance shall be in full force and effect from and after its passage by the Commission and it approval by the Mayor.

Read the First time, June 30, 1930.
Second reading, Sept. 21, 1932.
Put upon its passage Sept. 21, 1932.
Yeas: 3
Nays: 0

Submitted to and approved by the Mayor, this 21st day of Sept.1932.

J. F. Hosch
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 157

An Ordinance vacating the alley in Block One (1) of the recorded plat of State Highway Addition to Bend, Oregon, and declaring an emergency.

WHEREAS, the owners of all lots and parcels of land located within Block One (1) of the recorded plat of State Highway Addition to Bend, Oregon, duly filed in the office of the Recorder of the City of Bend, Oregon a petition praying for the vacation of all of the alley in said Block One (1): and

WHEREAS, said petition was so filed on the 19th day of June, 1930: and

WHEREAS, notice of the filing of said petition was duly given by posting written notices thereof at three of the most public places in the City of Bend on the 19th day of June, 1930, and more than thirty days prior to the hearing, by the Commission of the City of Bend, upon said petition, all as more fully appears from the affidavit of Robert B. Gould, City Engineer of said City, now on file herein; and

WHEREAS, it appears that the petitioners are the owners of all the lots and parcels of land in said Block One (1) of the recorded plat of State Highway Addition to Bend, and are the only parties to be affected by the vacation thereof; and

WHEREAS, upon the hearing of said petition, by the Commission of the City of Bend, no objections were interposed to the granting of the prayer therein contained, and no reason appears why the same should not be granted; now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of the alley in Block One (1) of the recorded plat of State Highway Addition to the City of Bend, Oregon, be, and the same is hereby, vacated.

Section 2. Inasmuch as a considerable amount of improvement for the area contained within the limits of said area proposed to be vacated and within the area adjacent thereto is pending and said improvement is contingent on the said vacation of the said described alley; and inasmuch as it appears that no injury to the general public, or to any individual, will occur by the vacation of the alley hereinabove described, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor of the City of Bend.

Read the First Time, August 6, 1930.
Read the Second Time, August 20, 1930.
YEAS: 2
NAYS: 0

Submitted to and approved by the Mayor on the 20th day of August, 1930.

Geo. P. Gove
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 158.

An Ordinance granting the right, privilege and franchise unto Natural Gas Corporation of Oregon, its successors and assigns, to lay and construct, and to thereafter operate and maintain, repair and/or replace a system of conduits and pipelines, together with such fixtures or appurtenances as the grantee, its successor or assigns, may deem necessary or convenient in connection therewith, in, under, along, or across all public streets, highways and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and/or distributing gas to the public for light, heat, fuel power or any other lawful purpose, for a term of twenty (20) years.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The right, privilege and franchise to lay and construct, and to thereafter operate and maintain, repair and/or replace a system of conduits and pipelines, together with such fixtures and appurtenances as the grantee, its successors or assigns, may deem necessary or convenient in connection therewith, in, under, along or across all public streets, highways, and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and/or distributing gas to the public for light, heat, fuel, power or any other lawful purpose, for the term of Twenty (20) years from and after the effective date of this ordinance, are hereby granted to Natural Gas Corporation of Oregon, its successors or assigns.

Section 2. Whenever it may be necessary or convenient in the operation or maintenance of the municipally owned water system to construct,

reconstruct, or replace any of the property of any of the said municipally owned water system, and such construction, reconstruction, or replacement renders necessary the removal, readjustment, relocation or change of any of the conduits, pipes, or other facilities, or appliances of said grantees, then and in such event said removal, readjustment, relocation or change of property of said grantee shall be done by and at the sole expense of the grantee, its successors or assigns.

Section 3. That nothing in this ordinance shall be deemed or construed to limit the power of the proper authorities of said City of Bend to prosecute and maintain public improvements, and whenever in the prosecution or maintenance of such improvements it becomes necessary or convenient to remove, readjust, relocate or change any of the grantees pipes, conduits, or other facilities or appliances located in the public streets, highways and/or alleys, the same shall be done by and at the sole expense of the grantee, its successors or assigns.

Section 4. That the grantee by its acceptance of this ordinance and franchise rights, privileges and authority hereby granted, for itself, its successors or assigns, covenants and agrees to and with the City of Bend at all times to protect and save harmless the said City from all claims, actions, suits, liability, loss, cost, expense or damage of every kind and description which may accrue and/or be suffered by any person or persons arising out of the neglect of the grantee in the erection, construction, re-construction, relocation, replacement, readjustment, maintenance, operation, repair or the use of the conduits, pipes and other facilities and appliances solely owned and operated by said grantee, its successors or assigns.

Section 5. Whenever the said Natural Gas Corporation of Oregon, its successors or assigns, shall disturb any of the streets, alleys, avenues, roads, highways, thoroughfares, parkings, bridges and/or sidewalks in said City, for the purposes aforesaid, it or they shall restore the same to good order and condition as soon as practicable and without unnecessary delay; and particularly any excavation or part of excavation made for the purpose of laying pipes or other apparatus or repair of same under this franchise in what is commonly known as the main business streets of said City of Bend, shall be permitted to remain open no longer than five (5) days after the excavation is made, except upon the written consent of the City Manager.

Section 6. All gas pipes shall be laid so that the top of the said pipes shall be at a depth of not less than Twenty (20) inches below the established or official grade of the street, alley or other public thoroughfare aforesaid, except where heavy rock is encountered, when in such instances said pipe may be laid at a lesser depth with the consent of the City Engineer; provided, however, that in cases where grandes have not been established such pipes shall be laid at a depth of not less than Thirty (30) inches below the existing surface of such street, alley or other public thoroughfare aforesaid, except where, on account of heavy rock excavation, the said Engineer consents to a lesser depth, and provided further that the Commission of said City hereby reserves the right to change or establish the grade of any of its streets, alleys, or public thoroughfares aforesaid, and to require the grantee of said franchise, its successors or assigns, to relay any of its pipes so as to conform to the same.

Section 7. Nothing in this ordinance shall be construed as franting an exclusive franchise or privilege for the use of any street, alley, avenue or public highway or any part thereof, provided however, that the city or any public utility in the construction of any water mains or other facilities shall have due regard to the existence of the mains and pipes of the grantee, and wherever possible shall locate and lay such water mains and facilities so as not to obstruct or interfere with the existing mains, pipes and conduits or said grantee.

Section 8. That the grantee of this franchise, its successors and assigns, shall commence actual construction work under this franchise in good faith within not more than six (6) months from the effective date of this ordinance and shall within Eighteen (18) months after the effective date of the said ordinance have in operation a gas plant, together with a distributing system which is actually delivering gas within the corporate limits of said City, provided, however, that in the event the grantee, its successors or assigns, shall be prevented from, or delayed in commencing or completing said work within the time herein specified by reason of any litigation or other cause beyong its or their control, the time for the performance of said work shall be extended for a period equal to the period of such interference or delay. Subject to this provision for extension due to delays beyong the power of the grantee, its successor or assigns, the franchise herein granted shall be declared null and void, and the same shall be forfeited if construction work is not commenced or completed within the times herein specified.

Section 9. The grantee of this franchise shall, prior to commencing the construction work, file with the City Manager a map, showing size and location of all pipes and the same must be approved by said City Manager before construction work may be commenced.

Section 10. The grantee herein for itself, its successors and assigns, covenants and agrees with the City of Bend, Oregon, a municipal corporation, that in consideration of the granting to it os the rights and privileges embraced in this ordinance, it will pay to the City of Bend, Oregon, One (1) percent of the gross annual revenues derived after the first day of January, A.D. 1933, and One (1) percent of the gross annual revenues derived after the first day of January, A.D. 1934, and Two (2) percent of the gross annual revenues derived after the first day of January A. D. 1935, and Two (2) percent of its gross annual revenues annually thereafter during the life of this franchise from services to its patrons now or hereafter located within the City of Bend, Oregon, the same to be paid in annual installments not less than Sixty (60) days after the end of the period herein annually specified, and that it will furnish to the City of Bend, Oregon, at the end of each such specified period a verified statement of its said gross earnings, and that it will permit the inspection of its books at reasonable hours upon the demand of the Commission of the City of Bend, Oregon.

Section 11. In further consideration of this franchise, the grantee will, with its acceptance, file with the City of Bend, Oregon, a Surety Bond in the amount of One Thousand ($1,000.00) Dollars, conditioned upon the faithful performance of the terms and conditions of this ordinance, during the period of its existence.

Section 12. Within Thirty (30) days after the passage of this ordinance, Natural Gas Corporation of Oregon shall file with the City Recorder of the City of Bend, Oregon, its written consdent and acceptance to the terms of this ordinance, provided, however, that if such consent and acceptance is not so filed, this ordinance shall be of no force and effect and this franchise will be deemed forfeited.

Read the first time, August 6, 1930.
Read the second time, August 20, 1930.
YEAS: 2
NAYS: 0

Submitted to and approved by the Acting Mayor this 20th day of August, 1930.

J. F. Hosch
Acting Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 159.

An Ordinance amending Section One, Ordinance N. S. 148 and delaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Ordinance N.S. 148 be, and the same is hereby, amended to read as follows, to-wit:

Section 1. Before the City Recorder of the City of Bend shall issue any building permit for the erection, construction and/or establishment of any building or buildings to be used as a gasoline service station, the applicant for such permit shall procure and file with the Recorder a petition, or property owners within a radius of five hundred feet from the center of the property on which such proposed station is to erected, constructed and/or established, requesting the Commission of the City of Bend to allow such permit to be issued by the said Recorder: Provided, however, that the following described property within said City shall be exempt from complying with the provisions of this Ordinance, to-wit: All real property now used for and occupied by such a service station, and all property within, abutting upon or contiguous to the following boundary line: Beginning at a point caused by the intersection of the northerly side of Vermont Place with the westerly side of Wall Street; thence southerly to the southerly side of Franklin Avenue; thence easterly to the easterly side of the alley between Bond Street and Lava Road; thence northerly to the southerly side of Irving Avenue; thence easterly to the westerly side of Harriman Street; thence northerly to the southerly side of Greenwood Avenue; thence easterly to the westerly side of Division Street; thence northerly to the northerly side of Greenwood Avenue; thence westerly to the easterly side of Bond Street; thence northerly to the southerly side of Vermont Place; thence westerly to the point of beginning.

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Section 2. That a considerable improvement within said City is contingent upon the immediate passage of this Ordinance, and that it is necessary for the prosperity and welfare of the people of this City that this Ordinance take immediate effect and thereby an emergency does, and is herebe declared to, exist, and this Ordinance shall take effect from and after its passage by the Commission and approval by the Mayor.
Read the First Time, September 6, 1930.
Read the Last Time, September 17, 1930.
Submitted to and approved by the Mayor this 17th day of Sept. 1930.

YEAS: 2
NAYS: 0

Geo. P. Gove.
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 160

An Ordinance vacating the alley running in an easterly and westerly direction between lots eight and nine of Block three and Lots one, two and three of Block three of State Highway Addition to Bend, Oregon, and declaring an emergency.

WHEREAS, on the 17th day of November, 1930, H. H. Hall, as Receiver of The First National Bank of Bend, Oregon, filed with the Recorder of the City of Bend, Oregon, his petition for the vacation of that certain alley running in an easterly and westerly direction and dividing Lots eight and nine of Block three of State Highway Addition from Lots one, two and three of Block three of State Highway Addition in the City of Bend, Oregon, and duly posted notices as required by law in three of the most public places in said City of Bend, as more particularly appears from the affidavit of Jay H. Upton on file with said Recorder, and

WHEREAS, the said H. H. Hall, as Receiver of The First National Bank of Bend, Oregon, is the owner in fee of all the property bordering upon either side of the portion of said alley above described and,

WHEREAS, said alley has never been opended to public use, is not travelled in any manner whatsoever and only exists by reason of the dedication thereof, and the vacation of said alley would not interfere in any manner with any public use and would not prevent the ingress or egress of any persons living in the vicinity of said Block three to any public highway and no persons other than said petitioner owns any property adjoining the portion of said alley sought to be vacated and no other person is affected by the vacation of said alley and,

WHEREAS, more than thirty days have elapsed since the filing of said petition and the posting of said notice and no objections have been filed thereto; now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the following described alley, which divides Lots eight and nine of Block three, State Highway Addition, from Lots one, two and three of Block three of State Highway Addition in the City of Bend, Oregon, and running in an easterly and westerly direction, be and the same is hereby vacated.

Section 2. Omas,icj as cpmsoderab;e o,½rpve,emt fpr tje area cpmtained within the limits of said position of said alley is pending and such improvement is contingent upon the vacation thereof, and it appearing that no injury will occur to the general public by reason thereof, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Commission of the City of Bend and its approval by the Mayor.
Read the First Time December 20, 1930.
Read the Second Time January 2, 1931.
YEAS: 2
NAYS: 0
Approved by the Mayor this 2nd day of January 1931.

Geo. P. Gove.
Mayor.

Attest:
L. G. McReynolds.
Recorder.

ORDINANCE NUMBER (N.S.) 161.

An Ordinance to amend Section two, Article VI, Ordinance N.S. 140, and Declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section Two of Article VI of Ordinance N.S. 140 be, and the same is hereby amended to read as follows:

Section 2. The word "person", whenever used in this Article, shall mean and include natural persons of both and/or each sex, co-partnerships, corporations and associations. The word "house" shall mean and include hotels, rooming and/or lodging houses where four or more rooms are equipped for sleeping purposes, and are rented for periods of less than one month.

Section 2. That the present wording of said section is such that it is impossible for the City authorities to properly enforce said Article VI, and that by reason thereof an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read the First Time, February 4, 1931.

Read the Second Time, February 18, 1931.

Passed by the Commission this 18th day of February, 1931.

YEAS: 3

NAYS: 0

Approved by the Mayor this 18th day of February, 1931.

Geo. P. Gove
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 162

An Ordinance providing for the issuance of improvement bonds of the City of Bend, Oregon, in the sum of $11,885.53: Proving 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 Commission of the City of Bend has heretofore proceeded to construct concrete pavement in the City of Bend, Oregon, and has duly assessed the cost of said construction to the real estate benefitted thereby, or liable therefor, according to the provisions of the then Charter of said City and the ordinances thereof; and

WHEREAS, the owners of the property so assessed for such construction, in the sum of $25.00 or more, aggregating in all the sum of $11,885.53, have, within twenty days after notice of such assessment was first published, filed with the Recorder of said City written applications to pay said assessment in installments, and each and all of said applications did state that the said applicant and property owner did thereby waive all irregularities or defects, jurisdictional or otherwise, if any there be, 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 assessment which have not been paid as that expressed in the bonds issued to pay for such improvement, but not to exceed six per centum per annum; 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, together 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 such street improvement has been kept separate and apart from all similar applications, 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, 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 the 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, has been regularly done and performed in the manner and at the times required by law;

NOW, THEREFORE, THE CITY OF BEND DOES ORDAIN 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 $11,885.53, in all equal to the total amount of the unpaid assessments for such improvement 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 18th 1931, to be numbered 1 to 24, inclusive, all for the principal sum of $500.00 each, save and except bond No. 1 for the sum of $385.53, 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 of America, and bear interest at the rate of six per centum (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall bear the signature, actual, engraved or lithographed, of the Mayor and the City Recorder of the City of Bend; 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, together with accrued interest to 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 by the City Treasurer of the City of Bend, in Bend, Oregon and shall be known as "City of Bend Street Improvement Bond, Series A of 1931."

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 $385.53, and the coupons attached thereto shall be in the sum of $11.57, to-wit:

No. _____ $500.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF DESCHUTES
CITY OF BEND STREET IMPROVEMENT BOND
SERIES A, 1931.

- - - - - -

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 the bearer the sum of

FIVE HUNDRED DOLLARS

in Gold Coin of the United States of America, on the presentation and surrender of this obligation on the 18th day of February, 1941, without grace, with the interest thereon from the date hereof until redeemed, or until the time of the semi-annual 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 payable semi-annually in like Gold Coin on the eighteenth day of February and August of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable by the City Treasurer of the City of Bend in Bend, Oregon.

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

This bond is redeemable at the office of the City Treasurer of the City of Bend, at the City of Bend in Deschutes County, Oregon at the option of the City of Bend upon the payment of the face amount thereof, together with accrued interest thereon to the date of the 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 18th day of February, 1931.

Attest: L. G. McReynolds
Recorder.

Geo. P. Gove
Mayor

COUPON

No. _____ $15.00

CITY OF BEND
STATE OF OREGON

Will pay to the bearer on the ___ day of _____, 19__, in Bold Coin of the United States of America, at the office of the City Treasurer of the City of Bend at the City of Bend in Deschutes County, Oregon,
FIFTEEN DOLLARS
being six months interest on City of Bend Street Improvement Bond, Series A 1931, No. ____, unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Geo. P. Gove
Mayor

Countersigned:
L. G. McReynolds
Recorder.

Section 3. The sale of the aforesaid bonds, heretofore made to the Bend Water Department of the City of Bend, Deschutes County, 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 said purchaser upon the payment of the purchase price therefor.

Section 4. WHEREAS, the Emergency fund of the City has been depleted and the General fund impaired by the payment therefrom of the cost of said construction during the year 1930, and no bonds have been issued heretofore to pay for the same, and it is necessary that said funds be repayed the sums of money heretofore expended therefrom for such construction and in order to do so it is necessary to enact this ordinance for the issuance and sale of said bonds, it is, now therefore, Declared that an emergency does exist and that this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor of the City of Bend, Oregon.

Read the first time, February 4, 1931.
Read the second time, February 18, 1931.
Passed by the Commission this 18th day of February 1931.
YEAS: 3
NAYS: 0
Submitted to and approved by the Mayor this 18th day of Feb. 1931.

Geo. P. Gove
Mayor

Attest:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 163

An Ordinance repealing sections 3, 4, 5, 6, 7, 8, 9 and 10 of Ordinance N. S. 112, and amending said Ordinance N. S. 112 by enacting Sections 3, 4, 5, 6, 7, 8, and 9.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That sections 3, 4, 5, 6, 7, 8, 9 and 10 of Ordinance N. S. 112, be and the same are hereby repealed.

Section 2. That Ordinance N. S. 112 be, and the same is hereby amended to read as follows, to-wit:

Section 3. All automotive vehicles parked upon any business street of the City of Bend shall be parked along the sidewalk at an angle of 35, except when street is otherwise marked by police parking strips, and upon residential streets next to and parallel with the curb; and all such vehicles shall be parked so that the front wheel nearest the curb shall be not more than one foot distant therefrom.

Section 4. All parking is hereby prohibited and forbidden at all times immediately adjacent to and in front of any theatre or moving picture show, used as such; and on both sides of Brooks Street from its intersection with Oregon avenue to its intersection with Greenwood Avenue; and on the northerly side of Greenwood Avenue from its intersection with the westerly side of Wall Street, to a point 100 ft. west of its intersection with the westerly side of Brooks Street extended northerly.

Section 5. All automotive vehicles kept forpublic hire shall park at a stand such places as shall be designated by the Chief of Police.

Section 6. Parking for a period in excess of ten minutes is hereby forbidden at all places where parallel ten minute parking signs are posted and where the streets are marked for such parallel parking; and parking is hereby forbidden in front of any building used as a place of worship, or public amusement and entertainment during the time it is

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occupied for such purpose and is so being used.

Section 7. It shall be unlawful for any owner and or operator of any automotive vehicle to enter any street intersection without coming to a full stop whenever the said intersection has a stop signal device, whether such device be a large "Stop" sign at the Right thereof, or a button design with the word "Stop" thereon, and placed in the center of the entrance to such intersection.

Section 8. It shall be unlawful for any owner and or operator of any automotive vehicle to make a reverse or "U" turn at or in any of the intersections in this city hereinafter designated and marked by a sign reading, "U Turn Prohibited".

Section 9. Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Two hundred dollars, or by imprisonment in the city jail for not more than 100 days, or by both such fine and imprisonment; and the Municipal Judge of the City of Bend is hereby empowered, in his discretion, to forfeit the drivers license of such person for not more than one year in addition to such fine and/or imprisonment.

Read the First Time - March 4, 1931.
Read the Second Time - March 18, 1931.
Passed by the Commission this 30th day of April, 1931.
Yeas 3.
Nays 0.
Submitted to and approved by the Mayor this 1st day of May, 1931.

Geo. P. Gove
Mayor

ATTEST:
L. G. McReynolds
Recorder.

ORDINANCE NUMBER (N.S.) 164.

An Ordinance amending Sections one and three of Article III of Ordinance N.S. 140, and Section one of Article XXI of Ordinance N.S. 140 as amended by Ordinance N.S. 147, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section One of Article III of Ordinance N.S. 140 be, and the same is hereby amended to read as follows:-

Sec. 1. The term peddler for the purpose of this ordinance shall be construed to include all persons, co-partnerships and/or corporations, either principals or agents who go from place to place, and/or house to house, and/or store to store, carrying for sale, and offering for sale, or exposing for sale, either at wholesale or retail, goods, wares and merchandise. The term hawker for the purposes of this ordinance shall be construed to mean and include all persons, co-partnerships and/or corporations who shall sell, offer for sale, or expose for sale, any goods, wares or merchandise from any doorway, recess, vacant lot or other place facing on a street and not within a building. This ordinance shall not apply to peddlers or hawkers of agricultural, horticultural or farm products which they may grow or raise, or to those vending books, periodicals or newspapers and, provided further, that this ordinance shall not apply to delivery of goods upon a bona fide order placed prior to the time such goodsleave the place of business of the seller specifying the exact kind and wuantity of goods to be delivered.

Section 2. That Section Three of Article III of Ordinance N. S. 140 be, and the same is hereby amended to read as follows:-

Sec. 3. For license purposes peddlers shall be classified as follows:-

Class I. Those on foot.
Class II. Those using a vehicle drawn by one horse or mule.
Class III. Those using a vehicle drawn by two or more horses or mules.
Class IV. Those using a motor propelled vehicle of one ton, or less, capacity.
Class V. Those using a motor propelled vehicle of more than one ton capacity.

Section 3. That Section 1 of Article XXI of Ordinance N.S. 140, as amended by Section One of Ordinance N.S. 147, be, and the same is hereby, amended to read as follows:-

Sec. 1. The fees for all licenses as provided by this Ordinance shall be as follows:-

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Bowling Alleys, for each alley per quarter or fraction thereof	2.50
Billiard, Card and/or Pool Rooms, for each table over one per quarter	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class I, per day or fraction thereof	4.00
Class II, per day or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof	10.00
Junk and Second Hand Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat per quarter or fraction thereof	.02
Milk Dealers, per year, distributing less than 5 quarts per day	2.50
From 5 to 25 quarts per day	5.00
From 25 to 50 quarts per day	10.00
From 50 to 100 quarts per day	15.00
From 100 to 300 quarts per day	25.00
From 300 to 500 quarts per day	35.00
From 500 to 700 quarts per day	50.00
From 700 to 900 quarts per day	75.00
From 900 quarts upwards per day	100.00
Peddlers, per day, Class I (Any fraction of a day is day)	3.00
Class II	5.00
Class III	7.50
Class IV	10.00
Class V	15.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesman, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	20.00
Transient Merchants, per month or fraction thereof	100.00
Wood Saws, per annum	25.00
Vehicles for Hire, per annum or fraction thereof	20.00
Circus, each performance	150.00
Carnivals, per day	150.00
plus $25.00 for each concession therewith, concession fee to be paid once only.	
Operatic and Dramatic Shows, First day	50.00
With an increase of $10.00 for each and every day thereafter, as $60.00 the second day, $70.00 the third day, etc.	
Auctioneers, Special, per day	25.00
General, per day	5.00

Section 4. That whereas the growers of produce in the trade territory of this city are about ready to market their produce, and whereas certain itinerant peddlers are now bringing outside produce into the local market and thereby breaking a stable market for such produce, and the general welfare of the people of this community is dependant upon a stable market for home grown produce, now therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Commission and approval by the Mayor.

Read the First Time, April 30, 1931.
Read the Second Time, May 11th, 1931.
Passed by the Commission this 11th day of May, 1931.
Yeas. 3
Nays. 0
Submitted to and approved by the Mayor this 11th day of May 1931.

_____
Mayor

ATTEST:

_____
Recorder.

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ORDINANCE NUMBER (N.S) 165.

An Ordinance repealing Ordinance N.S. 150 and declaring and emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance N.S. 150 be, and the same is hereby, repealed.

Section 2. That whereas the Public Utilities Commissioner of the State of Oregon has ordered a reduction in the commercial and residential lighting rates to be charged by the Pacific Power & Light Company within the City of Bend and which rates represent an ultimate saving to the residents and inhabitants of this city in excess of the estimated revenue to be produced under Ordinance N.S. 150, and, whereas, such Order will be effective upon the repealing of said Ordinance, and not otherwise, and it is the judgment of the Commission that such rate reduction is of greater benefit to the property interests of the residents of the city than would or could be obtained under the enforcement of said Ordinance, now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Commission and approval by the Mayor.

First Reading, June 3, 1931
Second Reading, June 17, 1931.

YEAS 3
NAYS 0

Submitted to and approved by the Mayor this 17th day of June, 1931.

ATTEST:

_____ Mayor

_____ Recorder.

ORDINANCE NUMBER (N.S.) 166

An Ordinance vacating certain streets and alleys in plat of Cascade to Bend, Oregon.

WHEREAS, the owners of all lands immediately adjoining the hereinafter described streets and alleys in plat of Cascade to Bend, Oregon, duly filed in the office of the Recorder of the City of Bend, Oregon, on the 7th day of March, 1931, a petition praying for the vacation of certain streets and alleys in plat of Cascade, and

WHEREAS, notice of the filing of said petition was duly given by posting written notices thereof at three of the most public places in the City of Bend on the 7th day of March, 1931, and more than thirty days prior to the hearing of said petition by the Commission of the City of Bend, as more fully appears from the affidavit of Robert B. Gould, on file herein; and

WHEREAS, it appears that the petitioners are the owners of all the real estate immediately adjoining the streets and alleys to be vacated and are the only parties to be affected by the vacation thereof; and

WHEREAS, upon the hearings of said petition by the Commission of the City of Bend, no objections was interposed to the graning of the prayer thereof and no reason appears why the same should not be granted,

WHEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of the following described streets and alleys be, and the same are hereby vacated to-wit:

All of the alley in Block 2, Cascade.

All of the alley in Block 3, Cascade.

All of that portion of East Clay Street lying east of East First Street and lying west of East Second Street in said plat of Cascade.

All of that portion of East Second Street in the plat of Cascade lying southerly from the south boundary of East DeKalb Avenue.

All that portion of East First Street in the plat of Cascade lying easterly and south-easterly from a line described as follows: Beginning at the westerly corner of Lot 6, Block 3 of the plat of Cascade; thence in a south-easterly direction to the northerly corner of Lot 18, Block 4 of the said plat of Cascade.

Section 2. Inasmuch as considerable amount of improvement for the area contained within the limits of said area proposed to be vacated and within area adjacent thereto is pending and said improvement is contingent on the said vacation of the described streets and alleys; and inasmuch as it appears that no injury to the general public or to any individual will occur by the vacation of the streets and alleys herein-

above described, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission of the City of Bend, and approval by the Mayor.

Read first time, June 3, 1931.
Read Second time, June 17, 1931.
Passed by the Commission of the City of Bend this 17th day of June 1931.

Approved by the Mayor this 17th day of June 1931.

Yeas. 3
Nays. 0

ATTEST: _____ Mayor

_____ Recorder.

ORDINANCE NUMBER (N.S.) 167.
An Ordinance Repealing Ordinance N.S. 124.
THE CITY OF BEND DOES ORDAIN AS FOLLOWS:
Section 1. That Ordinance N.S. 124 be, and the same is hereby repealed.

Read the First Time, June 17, 1931.
Read the Second Time, July 1, 1931.

Submitted to and approved by the Mayor this 1st day of July, 1931.

Yeas. 3
Nays. 0

ATTEST: _____ Mayor

_____

ORDINANCE NUMBER (N.S.) 168.
An Ordinance to amend Section 2 of Ordinance N.S. 94, and declaring an emergency.
THE CITY OF BEND DOES ORDAIN AS FOLLOWS:
Section 1. That Section 2 of Ordinance N.S. 94 be, and the same is, hereby amended to read as follows:
Sec. 2. Whenever the Commission shall consider it necessary to construct, alter, repair or remove any sidewalk or curb within the City of Bend, the Commission shall cause the Recorder to notify, by registered mail, the record owner as shown by the latest record in the office of the Tax Collector of Deschutes County, Oregon, of all real estate abutting upon said proposed construction, alteration, repairing or removal, to proceed with such improvement within thirty days, or in the case of removal within ten days, from the date of receipt of such notice, as shown by the returned registry receipt, and if he fails so to do, that the City will cause such improvement to be made and the cost thereof assessed upon such abutting real estate; provided that if the name or address of the abutting owner cannot be found upon the tax rolls of Deschutes County, Oregon, a copy of said notice shall be posted in a conspicuous place upon such abutting real estate for the period herein designated, said period of time to run from the date of said posting.
Section 2. That whereas there is a considerable amount of defective wooden sidewalks which should be removed at once for the conservation of public health and welfare, now therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.
Read the First Time, June 17, 1931.
Read the Second Time, July 1, 1931.

Yeas. 3.
Nays. 0
Submitted to and approved by the Mayor this 1st day of July, 1931.

ATTEST: _____ Mayor.

_____ Recorder.

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ORDINANCE NUMBER (N.S.) 169.

An Ordinance to amend Article XV of Ordinance N.S. 140 of the City of Bend by adding thereto a section to be known as Section 3.

THE CITY DOES ORDAIN AS FOLLOWS:

Section 1. That Article XV of Ordinance N. S. 140 be, and the same is hereby, amended by adding thereto a Section to be known and designated as Section 3 and to read as follows, to-wit:

Section 3. That the Recorder of the City of Bend be, and he is hereby, required to issue unto the applicant for the license hereinbefore provided for a metal tag and which metal tag must at all time be displayed upon the vehicle for which said license has been issued and not otherwise.

Read the first time June 17th, 1931.
Read the second time July 1st, 1931.

YEAS. 3
NAYS. 0

Submitted to and approved by the Mayor this 1st day of July, 1931.

Gove
Mayor.

ATTEST:

L. G. McReynolds.
City Recorder

ORDINANCE NUMBER (N.S.) 171.

An Ordinance granting the Great Northern Railway Company, a corporation, its successors and assigns, the franchise or right to lay, construct and maintain railroad tracks and to operate cars and trains thereover, and to transport passengers, freight, mail, baggage and express thereon, and to erect, construct, maintain and operate telephone and telegraph lines in the City of Bend, Deschutes County, Oregon.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That there be, and is hereby granted to Great Northern Railway Company, a corporation, its successors and assigns, the franchise or right to lay, construct and maintain railroad tracks of standard gauge, either single or double track, with power to change from one to the other, and such sidings, switches, curves and connections and other equipment as it may deem necessary or convenient, and to operate and run cars and trains thereon, and to transport passengers, freight, mail, baggage and express thereon, upon and over the following named street or boulevard in the City of Bend, Oregon, to-wit:

Commencing at the point of intersection of the northerly boundary of Woodland Boulevard, as shown on the recorded plat of Bend Park in Section 4, Township 18 South, Range 12 East, Willamette Meridian, with the center line of the right of way of the Oregon Trunk Railway Company (now Great Northern Railway Company) as shown on the said recorded plat; thence southeasterly along said center line to an intersection with the center line of said Woodland Boulevard at Survey Station 137-77; thence continuing southeasterly along said center line of right of way to a point in the southerly boundary of said Woodland Boulevard, and also the right and priviledge of constructing and maintaining on said Woodland Boulevard, at the location hereinabove described, such wyes, frogs, switches, curves and connections as the Great Northern Railway Company, its successors and assigns, may deem necessary or convenient in the construction and operation of said line of railroad.

And that there be, and is hereby also granted to said Great Northern Railway Company, its successors and assigns, the right to erect, construct and maintain poles, wires and other necessary and convenient equipment for the purpose of conveying electrical currents for the transmission of messages by telephone or telegraph or for any other use by it in connection with the operation of its trains and cars upon the railroad to be so constructed and operated at said location, together with the right to construct all necessary and conveneint feed and service lines in connection therewith.

Section 2. That there be and is hereby granted to said Great Northern Railway Company, its successors and assigns, the franchise or right to lay, construct and maintain railroad tracks and operate trains and cars over private property and private rights of way, which said company may now have or hereafter acquire, and to connect the same with tracks mentioned and described in Section 1 of this Ordinance.

Section 3. That there be and is hereby granted to said Great Northern Railway Company, its successors and assigns, the right to reconstruct and maintain sidetracks, switches and other equipment from the track or tracks hereinbefore described, into, upon and over such private properties as it may now hold or hereafter acquire for use as round houses, power houses, freight depots, passenger depots, terminals and other purposes, or into, upon or over any property contiguous to said tracks.

Section 4. The railroad to be constructed over and across the street or boulevard specifically described in Section 1 of this Ordinance shall be so constructed that the subgrade of the railroad track at said street or boulevard shall be 3685.8 feet above sea level.

Section 5. The Great Northern Railway Company, its successors and assigns, shall have the right to do all necessary excavation and grading for the construction, repair or maintenance of said tracks, but all that portion of said street or boulevard so excavated or graded shall be replaced in as near the original condition as practicable, and said company, its successors and assigns, shall, during the term of this franchise, keep the portion of said street or boulevard upon which the said tracks are maintained, including the space between the main line tracks and side tracks and the space within any wyes in as good condition and repair as the remainder of said street is maintained, for the full width of one foot on the outside of the rails of each track.

Section 6. If at any time during the life of this franchise, traffic by the public over the crossing at said Woodland Boulevard is such that some audible or visual warning devices, in addition to warnings and signs now required by law, are reasonably necessary for the safety of the public using the highway at said crossing, the Railway Company will install and thereafter maintain such additional devices as may be prescribed by the Public Utilities Commissioner of Oregon, or other public authority having jurisdiction in the premises.

Section 7. The motive power employed for the operation of trains and cars upon said track shall be steam, electricity, internal combustion engines, or any other form of power which said company may desire to use, in accordance with good railroad operating standards.

Section 8. All of the rights herein granted shall continue and be in force and effect for a period of Twenty (20) years from and after the date of the final approval of this Ordinance.

Section 9. All franchises or rights herein granted are upon the condition that the Great Northern Railway Company, its successors and assigns, shall within Forty-five (45) days after the approval of this Ordinance, or after it otherwise takes effect, file with the City Recorder a written acceptance of the provisions of this ordinance, provided that nothing contained in this section shall prevent the council from extending the time for the filing of such acceptance, if such extension shall be necessary.

WHEREAS, the purpose of this ordinance is to enable the Great Northern Railway Company, its successors and assigns, to build and operate a revised line of railroad in the City of Bend, as a part of a revised line of railroad connecting the City of Bend, with the City of Klamath Falls, Oregon and other cities and destinations north and south of Klamath Falls, Oregon, which revised line of railroad will improve the railway service to and from the City of Bend and thereby greatly aid the public convenience with respect to the carriage of passengers and freight and thereby promote the public peace, health and safety of said city, and it is therefore necessary, for the preservation of the public peace, health and safety of the inhabitants of the City of Bend, that this Ordinance shall become immediately effective, an emergency is hereby declared to exist and this ordinance shall take effect immediately after its passage by the council and approval by the Mayor.

Read for the first time November 4th, 1931.
Read for the second time November 18th, 1931.
Passed the Council on the 18th day of November.
Approved by the Mayor the 18th day of November.
Yeas: 2
Nays: 0

Geo. P. Gove
Mayor of the City of Bend.

ATTEST: L. G. McReynolds
Recorder of the City of Bend

2RBGd

ORDINANCE(N.S.) 172.

An Ordinance amending Section 1 of Article XVIII of Ordinance N.S. 140, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN:AS FOLLOWS:

Section 1. That Section 1 of Article XVIII of Ordinance N.S. 140 be,and the same is hereby amended to read as follows:

Section 1. It shall be unlawful for any person, persons, firm or corporation to operate a woodsaw, the motive power of which shall be steam, electricity, gasoline or other mechanical force, on any street, alley, park or other public place in the City of Bend, or to transport such a woodsaw on or over any street or alley for the purpose of operating the same within the City of Bend, without having first obtained a license therefor, said licesne not to be issued for less than one year. No license shall be issued until the applicant shall make a showing, satisfactory to the City Manager, that such woodsaw is in good mechanical condition and can and will be operated and transported with safety to the general public.

Section 2. That whereas no Ordinance of the City of Bend exists at this time providing for the licenseing of woodsaws the provisions of which are definite and certain, and whereas such an Ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Bend, now therefor an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the City Commission and approval by the Mayor.

Read for the first time November 18, 1931.
Read for the second time December 2, 1931.
Passed by the Commission this 2nd day of December, 1931.

Yeas: 3
Nays: 0

Submitted to and approved by the Mayor this 2nd day of December, 1931.

Geo. P. Gove
Mayor.

ATTEST: L. G. McReynolds
City Recorder

ORDINANCE (N.S.) 173.

An Ordinance declaring under what circumstances dogs running at large shall be a nuisance, providing for the abatement of such nuisance, providing that it shall be unlawful for the owner or person in charge of such dog to permit the same to run at large, providing that it shall be unlawful for any person to interfere with a police officer in the enforcement of this Ordinance, and providing penalties for the violation hereof.

THE CITY OF BEND DOES ORDAIN:AS FOLLOWS:

Section 1. Any mad dog, any fierce, vicious or dangerous dog running at large without being securely muzzled, and any female dog running at large in time of heat within the city limits, is hereby declared to be a public nuisance and shall be abated as herein provided.

Section 2. Any mad dog shall be killed on sight by any police officer of the City of Bend or by any person authorized so to do by the Chief of Police; the owner of any fierce, vicious or dangerous dog running at large without being securely muzzled, if such owner is known, shall be notified by a police officer to securely tie up or muzzle such dog within one hour after such notice and if such dog is thereafter found running at large without being securely muzzled, it shall be killed on sight by a police officer; the owner of any female dog in time of heat, if such owner is known, shall be notified by a police officer to securely tie up said female dog or confine the same within a building within one hour thereafter, and if such female dog is thereafter found running at large in time of heat, it shall be killed on sight by a police officer; if the owner of any such fierce, vicious or dangerous dog or of any such female dog cannot be found after reasonable inquiry, such dog shall be killed on sight by a police officer without notice as aforesaid.

Section 3. It shall be unlawful for any person, owning or having charge, care or control of any dog, male or female, when and under such circumstances as such dog shall be a public nuisance as above defined, to permit or allow such dog to be or run at large off of the enclosure of such person.

Section 4. It shall be unlawful for any person to interfere with or prevent or attempt to prevent a police officer from killing any dog as herein above provided.

Section 5. Any person or persons violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than Fifty Dollars, or by imprisonment in the city jail or in some other jail as by the Court directed, not more than twenty-five days, or by both such fine and imprisonment.

Read for the first time, January 20th, 1932.
Read for the second time, February 3rd, 1932.

Yeas: 2
Nays: 0
Approved by the Mayor this 3rd day of February, 1932.

J. F. Hosch
Mayor

ATTEST: L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 174

An Ordinance prohibiting the distribution, circulation and passing of advertising papers, handbills, dodgers, circulars, booklets or other notice of commercial advertising, and providing a penalty for violations of this Ordinance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person, firm or corporation, either directly or by another, to distribute, circulate or passto or among persons along or upon any street, alley, park or other public place in the City of Bend, or to place in any automobile or other vehicle on or along any public street, alley, park or other public place in the City of Bend, any advertising paper, handbill, dodger, circular, booklet, or other notice of commercial advertising.

Section 2. It shall be unlawful for any person, firm or corporation, either directly or by another, to distribute, place or throw in or upon any street, alley, park or other public place or in or upon any private yard, lawn, driveway, sidwalk, porch, house or part thereof of any residence or in any structure within the curtilage of a residence or upon any vacant premises in the City of Bend, or nail, tack or fasten on or to any pole, tree or fence or other structure any advertising paper, handbill, dodger, circular, booklet or other notice of commercial advertising; provided, however, that nothing herein contained shall prohibit the distribution and delivery of any newspaper which is capable of being entered as second class matter under the provisions of the United States Postal Regulations; provided, further, that nothing herein contained shall be deemed to prohibit or otherwise regulate the delivery of any such matter by the United States Postal Service; and provided, further, that nothing herein contained shall be deemed to prohibit the delivery of any such matter on the porch or stoop of any occupied residence providing such matter is enclosed within an addressed envelope.

Section 3. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor andupon conviction thereof shall be punished by a fine of not to exceed One Hundred ($100.00) Dollars, or by imprisonment in the City Jail of said City or such other jail as may be by the court ordered for a period of not to exceed Fifty (50) days, or by both such fine and imprisonment.

First Reading March 17, 1932.
Second Reading April 6, 1932.

Yeas: 3
Nays: 0
Submitted to and approved by the Mayor this 6th day of April, 1932.

J. F. Hosch
Mayor.

ATTEST L. G. McReynolds.
City Recorder.

2RBGd

ORDINANCE N.S. 175.

An ordinance regulating and limiting the rate of speed of vehicles on the streets, alleys and public places of the City of Bend, defining the terms "parking" and regulating the parking of vehicles on the streets and alleys of the City of Bend, providing for the placing of Stop signs, and regulating vehicular traffic at Stop signs, prohibiting U or reverse turns on certain streets, providing penalties for violation hereof, and repealing Ordinance N.S. 112 and Ordinance N.S. 163.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person to drive or operate a motor vehicle on or over the streets, alleys or other public places inthe City of Bend in violation of any law of the state of Oregon or at a greater rate of speed or in ahy different manner than is reasonable and proper, having due regard to the safety of the public or to the traffic upon and use of any such street or alley then traveled.

Section 2. The terms "park" and "parking" as used in this ordinance are defined to mean the bringing of a motor vehicle to a stop or standstill upon any street, alley or public place, provided that such terms shall not include the bringing of such motor vehicle to a stop at a stop sign as hereinafter described nor the bringing of such vehicle to a stop on order by a peace officer or by reason of congestion of traffic.

Section 3. All motor vehicles parked upon any business street of the City of Bend, shall be parked along the curb at an angle of thirty-five degrees from said curb, except when such street is marked otherwise by police parking strips, and upon residential streets next to and parallel with the curb; and all such vehicles shall be so parked that the right front wheel thereof shall not be more than one foot from the curb.

Section 4. All parking is hereby prohibited at all times along the curb immediately adjacent to and in front of any theatre or moving picture theatre; all parking is hereby prohibited along the curb adjacent to and immediately in front of the main entrance to a building used as a place of public worship or of public amusement or entertainment other than a theatre or moving picture theatre, during the time such building is being used and occupied for such purpose; all parking is prohibited on the following streets, to-wit: On both sides of Brooks Street from its intersection with Oregon Avenue to its intersection with Greenwood Avenue; on the northerly side of Greenwood Avenue from its intersection with the westerly side of Wall Street to a point one hundred feet west of its intersection with the westerly side of Brooks Street extended northerly.

Section 5. All motor vehicles kept for public hire shall park at a stand at such places as shall be designated by the Chief of Police.

Section 6. The City Manager shall have the authority with the approval of the City Commission to designate such parking areas in the business section of the City of Bend as he may deem expedient as ten minute parking areas; such areas shall be plainly marked by police parking strips parallel to the curb; it shall be unlawful for any person to park a motor vehicle for a longer period than ten minutes on any such designated and marked ten minute parking areas.

Section 7. It shall be unlawful for any person to park any motor vehicle, truck, trailer, semi-trailer or other vehicle in such a manner that any portion or part of such vehicle or trailer or of any of the portion or part of such vehicle or trailer or of any of the load thereon shall extend more than sixteen feet from the curb where such vehicle is parked on those portions of the following streets described as follows, to-wit: Both sides of Wall Street from its intersection with Vermont Place to its intersection with Franklin Avenue, excepting the easterly side of Wall Street from its intersection with Vermont Place to its intersection with Greenwood Avenue; both sides of Bond Street from its intersection with Wall Street at Vermont Place to its intersection with Franklin Avenue; both sides of Greenwood Avenue from its intersection with Wall Street to a point fifty feet east of the easterly side of Bond Street; both sides of Oregon Avenue from its intersection with Brooks Street to a point fifty feet east of the easterly side of Bond Street; both sides of Franklin Avenue from its intersection with Wall Street to its intersection with Bond Street.

Section 8. The City Manager with the approval of the City Commission shall have authority to designate what street intersections shall be stop streets and shall cause such intersections to be plainly marked with a large "Stop" sign at the right thereof or with a button design with the word "Stop" thereon placed in the center of the entrance to such intersection. It shall be unlawful for any operator of a motor vehicle to enter any such intersection designated and marked as aforesaid without bringing the said motor vehicle to a full stop.

Section 9. The City Manager with the approval of the City Commission shall have authority to designate on what streets or portions of streets U or Reverse turns shall be prohibited and shall cause such streets or portions o f streets to be plainly marked with large signs reading "U Turn Prohibited". It shall be unlawful for any operator of a motor vehicle to make a U or reverse turn on any such street or portion of a street so designated and marked as aforesaid.

Section 10. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Municipal Court shall be punished by a fine of not more than Two Hundred Dollars, or by imprisonment in the City Jail or some other Jail for a period of not more than one hundred days, or by both such fine and imprisonment.

Section 11. Ordinance N. S. 112 and Ordinance N.S. 163 are hereby repealed.

Read for the first time March 17, 1932.

Read for the second time and put upon its passage April 6th, 1932.

Yeas 3

Nays 0

Declared passed April 6, 1932.

Submitted to and approved by the Mayor this 6th day of April, 1932.

J. F. Hosch
Mayor

ATTEST:

L.G. McReynolds
City Recorder

ORDINANCE (N.S.) 176.

An Ordinance defining the term dangerous building, declaring that a dangerous building as herein defined shall be a nuisance, providing the proceedure for hearing and determining whether a building is a dangerous building and a nuisance as herein provided, providing for the abatement of such a nuisance, and declaring that the expense of such abatement shall be assessed as a lien against the property constituting such nuisance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. For the purpose of this ordinance the term dangerous building shall mean and include any building or other structure which for want of proper repairs or by reason of age and delapidated condition or by reason of poorly installed electric wiring, defective chimney or for any other cause or reason is especially liable to fire, and which building or structure is so situated or occupied as to endanger any other building or property or person. Said term shall also mean and include any building or structure which shall be kept or maintained in such a filthy or unsanitary condition as to be especially liable to cause the spread of contagious or infectious disease or diseases. Said term shall also mean and include any building or structure in such weak or weakened condition, or delapidated or deteriorated condition as to endanger any person or property by reason of probability of partial or entire collapse thereof.

Section 2. Any building or other structure which shall be by resolution of the City Commission determined and declared to be a dangerous building as above defined, after a hearing and in the manner hereinafter set out, shall be and constitute a nuisance, and may and shall be abated as hereinafter provided.

Section 3. Whenever the mayor, city manager, cheif of the fire department, city health officer, or any commissioner of the City of Bend shall find or be of the opinion that there is a dangerous building in the City of Bend, it shall be the duty of such officer to report the same to the City Commission. Such report shall be in writing, verified by the affidavit of the person making the same, and shall describe the building or structure together with the premises on which the same is located with sufficient certainty for indentification and shall set out the names and addresses of the owners thereof and the lien holders thereon as far as known. Thereupon the City Commission shall, within a reasonable time, fix a time and place for a public hearing thereon. Notice shall be mailed to the owner of record of the premises whereon such building or structure is located and to any known lien holders thereon, at their last known place of residence, notifying said persons in general terms that a hearing will be held concerning said property, and the time and place thereof. At said time and place, or at such other time or times, or place or places, as the City Commission shall adjourn to, said hearing shall be held, and the City Commission shall determine by resolution whether or not said building is a dangerous building as herein defined, The City Commission may, as a part of said hearing, inspect said building or other structure, and the facts observed by said Commission at such inspection may be considered by it in determining whether or not said building or structure is a dangerous building. At said hearing the owner or other person interested in said property or building shall have the right to be heard in person and by witnesses or counsel, if such owner or person requests the same. Not less than ten days notice of such hearing shall be given by publication in some newspaper published in the City of Bend, or by posting notices thereof in three public places in said city, and if the last mentioned notice, particularly describing such building, structure or premises, be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings. At such hearing the City Commission shall have the power to order any building or other structure declared by resolution as aforesaid to be a dangerous building, removed and abated, if in its judgment such removal or abatement is necessary to remove said dangerous condition, or the Commission shall have the power to order said building or structure made safe and to prescribe what acts or things must be done to render the same safe. Notice of such findings and of any orders made by the Commission shall be given the owner of said building, his agent or other person controlling the same, which said notice shall set forth the time, notless than five days, within which the owner or person interested is required by said findings or order to comply therewith. If said order is not complied with and said building or structure removed or rendered safe in the manner prescribed within the time in said order specified, then the Commission shall have the power and it shall be its duty to cause said building or structure to be removed or made safe as in said order prescribed. In so doing the Commission may, in its discretion, advertise for bids for doing such work, such advertisement to be published once in a newspaper published in the City of Bend, stating in general terms the work to be done and the time within which bids shall be submitted to the Commission. At the time set the Commission shall open any bids filed and may let a contract for the doing of such work. Such work shall be done under the supervision of and to the satisfaction of the Fire Chief. Thereafter the Commission shall determine the cost of such work and the same including the expenses of such proceeding shall be and become a lien upon the salvage, if any, from such building and upon the premises on which said building was located. Such salvage, if any, shall be sold by the Fire Chief and the proceeds thereof paid into the City Treasury and credited upon such lien. If the proceeds of such sale shall not satisfy said lien in full, the Commission shall by ordinance declare the unpaid balance thereof to be a lien against the premises and shall cause the same to be entered in the docket of city liens, and thereafter said lien shall be enforced and collected in the same manner as other city liens, but irregularities in the procedure shall be disregarded.

Section 4. Nothing herein contained shall be construed to prevent the removal or abatement summarily in an emergency by the officials of said city of Bend of a dangerous buildingor structure where such removalor abatement is necessary for the immediate preservation of the safety of persons or property therein, nor to prevent the resort by the City to such other remedies as are provided by law for the abatement of nuisances.

Section 5. Whereas, due to the fact that numerous dangerous buildings now exist in the City of Bend and cause a serious fire hazard therein, for the immediate preservation of the peace, health and safety of the City it is deemed that an emergency now exists, and this Ordinance shall become immediately operative and shall be in full force and effect on its approval by the affirmative vote of all the members of the Commission.

Read the first time January 20th, 1932.

Read the second time April 20th, 1932.

Yeas 3

Nays 0

Approved this 4th day of May, 1932.

J. F. Hosch
Mayor

ATTEST:

L.G. McReynolds
City Recorder

ORDINANCE (N.S.) 177.

An Ordinance providing for the restraint of horses, cattle, sheep and/or goats in Shevlin Park, providing for the impounding of any such animals found in Shevlin Park in violation hereof, providing penalties for violation hereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for the owner or any person having the care or control of any horses, cattle, sheep and/or goats to permit such animals to run at large or to be herded, tethered or pastured in any manner in or upon Shevlin Park, a public park of and belonging to the City of Bend, as the same is described by metes and bounds in that certain deed to said City of Bend recorded on page 331 of Book 30 of the Record of Deeds of Deschutes County, Oregon, in the custody of the County Clerk of said County.

Section 2. Any such animals found in Shevlin Park in violation of the provisions of Section 1 of this Ordinance sha ll be taken up by the Chief of Police and thereafter proceedings with reference to such animals shall be had as provided in Ordinance N.S. 120 with reference to animals trespassing upon private property or herded, tethered or pastured upon any public thorough-fare or public place or running at large within the said City.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than One Hundred Dollars, or by imprisonment in the City Jail or some other jail as directed by the Municipal Court for a period of not more than Fifty days, or by both such fine and imprisonment.

Read for the first time May 4th, 1932

Read for the second time May 18th, 1932.

Put upon its passage May 18th, 1932.

2RBGd

Ayes 2

Nays 0

Submitted to and approved by the Mayor this 18th day of May, 1932.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 178.

An Ordinance regulating and limiting the rate of speed of vehicles on the streets, alleys and public places of the City of Bend, defining the terms "park" and "parking" and regulating the parking of vehicles on the streets and alleys of the City of Bend, providing for the placing of Stop Signs and regulating vehicular traffic at Stop Signs, providing U. or reverse turns on certain streets, providing penalties for violations hereof, and repealing Ordinance N.S. 175.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person to drive or operate a motor vehicle on or over the streets, alleys or other public places in the City of Bend in violation of any law of the State of Oregon or at a greater rate of speed or in any different manner than is reasonable and proper, having due regard to the safety of the public or to the traffic upon and use of any such street or alley then travelled.

Section 2. The terms "park" and "parking" as used in this Ordinance are defined to mean the bringing of a motor vehicle to a stop or standstill or the leaving or permitting a motor vehicle under the control or in the possession of a person to remain at a stop or standstill upon any street, alley or public place, provided that such terms shall not include the bringing of such motor vehicle to a stop at a Stop Sign as hereinafter described nor the bringing of such vehicle to a stop on order by a peace officer or by reason of congestion of traffic.

Section 3. All motor vehicles parked upon any business street of the City of Bend shall be parked along the curb at an angle of thirty-five degrees from such curb, except when such street is marked otherwise by police parking strips, and upon residential streets next to and parrallel with the curb; and all such vehicles shall be so parked that the right front wheel thereof shall be not more than one foot from the curb.

Section 4. All parking is hereby prohibited at all times along the curb immediately adjacent to and in front of any theatre or moving picture theatre; all parking is hereby prohibited along the curb adjacent to and immediately in front of the main entrance to a building used as a public place of worship or of a public amusement or entertainment other than a theatre or moving picture theatre, during the time such building is being used and occupied for such purpose; all parking is prohibited on the following streets, to-wit: On both sides of Brooks Street from its intersection with Oregon Avenue to its intersection with Greenwood Avenue; on the northerly side of Greenwood Avenue from its intersection with the westerly side of Wall Street; to a point one hundred feet west of its intersection with the westerly side of Brooks Street extended northerly.

Section 5. Except as other wise herein provided, parking upon any of the following described parts of public streets within the City of Bend between the hours of two o'clock A.M. and seven-thirty o'clock P.M. shall be limited to a period of one hour to-wit: That portion of Wall Street lying between Franklin Avenues and Greenwood Avenue; that portion of Bond Street lying between Franklin Avenue and Greenwood Avenue; that portion of Minnesota Avenue lying between Wall Street and Bond Street, and that portion of Oregon Avenue lying between Wall Street and Bond Street.

Section 6.
All motor vehicles kept for public hire shall park at a stand at such places as shall be designated by the Cheif of Police.

Section 7. The City Manager with the approval of the City Commission shall have authority to designate such parking areas in the business section of the City of Bend as he may deem expedient as ten minute parking areas; such areas shallbe plainly marked by police parking strips and/or signs; it shall be unlawful for any person to park a motor vehicle for a longer period than ten minutes on any such designated and marked ten minute parking area.

Section 8. The City Manager with the approval of the City Commission shall have authority to designate such parking areas in the business section of the City of Bend as he may deem expedient for the purpose of reserving such areas for the use of peace officers in the performance of their duties as such, for the purpose of ingress to or egress from buildings; such areas shall be plainly marked by police parking strips and/or by "No Parking" signs; it shall be unlawful for any person to park a motor vehicle on such areas except for the purposes above designated.

Section 9. It shall be unlawful for any person to park any motor vehicle, truck, trailer, semi-trailer or other vehicle in such a manner that any portion or part of such vehicle or trailer or of any of the load thereon shall extend more than 16 feet from the curb where such vehicle is parked on those portions of the following streets described as follows, to-wit: Both sides of Wall Street from its intersection with Vermont Place to its intersection with Franklin Avenue, excepting the easterly side of Wall Street from its intersection with Vermont Place to its intersection with Greenwood Avenue; both sides of Bond Street from its intersection with Wall Street at Vermont Place to its intersection with Franklin Avenue; both sides of Greenwood Avenue from its intersection with Wall Street to a point fifty feet east of the easterly side of Bond Street; both sides of Oregon Avenue from its intersection with Brooks Street to a point fifty feet east of the easterly side of Bond Street; both sides of Franklin Avenue from its intersection with Wall Street to its intersection with Bond Street.

Section 10. The City Manager with the approval of the City Commission shall have authority to designate what street intersections shall be stop streets and shall cause such intersections to be plainly marked with a large "Stop" sign at the right thereof or with a button design with the word "Stop" thereon placed in the center of the entrance to such intersection. It shall be unlawful for any operator of a motor vehicle to enter any such intersection deisgnated and marked as aforesaid without bringing the said motor vehicle to a full stop..

Section 11. The City Manager with the approval of the City Commission shall have authority to designate on what streets or portions of streets U or reverse turns shall be prohibited and shall cause such streets or portions of such streets to be plainly marked with large signs reading "U Turn Prohibited". It shall be unlawful for any operator ofa motor vehicle to make a U or reverse turn on any such street or portion of a street designated and marked as aforesaid.

Section 12. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor , and upon conviction thereof in the Municipal Court shall be punished by a fine of not more than Two Hundred Dollars, or by imprisonment in the City Jail or some other jail for a period of not more than one hundred days, or by both such fine and imprisonment.

Section 13. Ordinance N. S. 175 is hereby repealed.

Section 14. Inasmuch as the City of Bend at this time has no adequate ordinance regulating the operation of motor vehicles on the streets of such city, and at this time the use of the streets by tourists and others is greatly increased, it is deemed that this ordinance is a measure for the immediate preservation of the peace, health and safety of the City and that an emergency exists, therefore this ordinance shall become immediately effective on its passage by The City Commission and its approval by the Mayor.

2RBGd

Read the first time May 18th, 1932.

Read the second time June 1st, 1932.

Put on its passage June 1st, 1932.

Yeas 3

Nays 0

Delcared passed.

Submitted to and approved by the Mayor this 1st day of June, 1932.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 179.

An Ordinance to amend Section 4 of Article II of Ordinance N.S. 140.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That section 4 of Article II of Ordinance N.S. 140, be and the same is hereby amended to read as follows, to-wit:

Section 4. No auction sale shall be conducted within the City of Bend between the hours of seven-thirty o'clock in the evening and eight o'clock in the morning of the following day.

Section 2. Whereas the present ordinance regulating the hours for conducting an Auction sale with the City of Bend is vague and indefinite, and it is necessary for the preservation of the peace, health and safety of said city that said ordinance be at this time made definite and certain, therefore an emergency is deemed to exist and this ordinance shall be and become immediately effective and in full force and effect on its passage by the City Commission and approval of the Mayor.

First Reading May 18th, 1932.

Second Reading June 1st, 1932.

Put on passage June 1st, 1932.

Yeas 3

Nays 0

Delcared passed and approved by the Mayor this 1st day of June, 1932.

J. F. Hosch
Mayor

A TTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 180.

An Ordinance amending Section 1 of Article XXI, of Ordinance N.S. 140, As Amended by Ordinance N.S. 147 and Ordinance N.S. 164.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Article XXI of Ordinance N.S. 140

as amended by Section 1 of Ordinance N.S. 147, and as amended by Section 3 of Ordinance N.S. 164, be and the same is hereby amended to read as follows:-

The fees for all licenses as provided by this Ordinance shall be as follows:-

Astrologers, etc. per day.....$100.00
Billiards, Card and/or Pool Rooms, per quarter or fraction thereof..... 10.00
Bowling Alleys, for each alley per quarter or fraction thereof..... 2.50
Billiard, Card and/or Pool Rooms, for each table over one per quarter..... 2.50
Food establishments, per quarter or fraction thereof 1.50
Hawkers, Class I, per day or fraction thereof. 4.00
Class II, per " " " " .. 3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof..... 10.00
Junk and Second Hand Dealers, per quarter or fraction thereof..... 5.00
Moving Picture Shows, per seat per quarter or fraction thereof..... .02
Milk Dealers, per year, distributing less than 25 quarts per day..... 1.00

From 25 to 50 quarts per day..... 3.00
From 50 to 100 quarts per day..... 5.00
From 100 to 300 quarts per day..... 8.00
From 300 to 500 quarts per day.....12.00
From 500 to 700 quarts per day.....25.00
From 700 to 900 quarts per day.....37.50
From 900 quart upward per day.....50.00

Peddlers, per day, Class I.(Any fraction of a day is a day)..... 3.00
Class II..... 5.00
Class III..... 7.50
Class IV.....10.00
Class V.....15.00
Shooting Galleries, per quarter or fraction thereof.....10.00
Photograph Salesmen, per day or fraction thereof 5.00
Solicitors, per day or fraction thereof..... 3.00
Transfer vehicles, per year or fraction thereof.....20.00
Transient Merchants, per month or fraction thereof.....100.00
Wood Saws, per annum.....25.00
Vhicles for hire, per annum or fraction thereof.....20.00
Circus, each performance.....150.00
Carnivals,per day 150.00
plus $25.00 for each concession therewith, concession fee to be paid once only.
Operatic and Dramatic Shows, First day..... 50.00
With an increase of $10.00 for each and every day thereafter, as $60.00 the second day, $70.00 the third day, etc.
Auctioneers, Special, per day..... 25.00
General, per day.....5.00

Read the First time, May 18th, 1932.

Read the Second time, June 1st, 1932

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 1st day of June 1932.

ATTEST:

L. G. McReynolds
City Recorder.

J. F. Hosch
Mayor

2RBGd

ORDINANCE (N.S.) 181.

An Ordinance to amend Sections 2 and 3 of Ordinance N.S. 106.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Sections 2 and 3 of Ordinance N.S. 106 be and the same are hereby amended to read as follows, to-wit:

Section 2. Whenever a greater quantity than five gallons of gasoline or distillate shall be stored or kept within the corporate limits of the City of Bend, except when the same shall be stored in the tank ofa motor propelled vehicle for use in said vehicle, or in the act of being transported, said gasoline or distillate shall be stored in metal tanks of weight and thickness to be first approved by the fire chief or fire marshall of the City of Bend; the said tanks shall not be of larger capacity than 1000 gallons each and not more than three of said tanks shall be grouped together and in case two or three such tanks are grouped together the said tanks shall be not less than two feet apart with a soft dirt filler between; the said tanks shall be properly vented and shall be covered by not less than four feet of soft dirt, or not less than one foot of soft dirt and eight inches of reinforced concrete; not more than one group of not more than three of such tanks shall be located on each tract or lot 50 x 100 feet in area.

Section 3. Any person, firm or corporation desiring to install such storage tanks shall make application in writing to the City Manager and shall pay into the city treasury an inspection fee of $2.50; on the filing of such application and the payment of such fee the City Manager shall cause the premises where such storage tank or tanks are to be located to be inspected, and after the same has met with his approval he shall issue an installation permit, in writing, subject to his approval upon final inspection of the storage tank installation before the same has been buried.

Section 2. (Emergency clause if wanted)

Read the first time July 20, 1932.

Read the second time August 3rd,1932.

Put on passage August 31, 1932.

Declared passed August 3, 1932.

Ayes 2
Nays 0

Approved:

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 182.

An Ordinance amending Ordinance N.S. 118 as amended by Ordinance N.S. 154, by adding thereto a new section to be known as Section 19-B.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance N.S. 118 as amended by Ordinance N.S. 154 be, and the same is hereby amended by adding thereto a new section to be known as Section 19-B, which section shall read as follows:

Section 19-B. It shall be unlawful for any person or persons to loiter or congregate on any bridge across the Deschutes River within the City of Bend or to fish or swim or dive from any such bridge or any part thereof.

2RBGd

Read first time August 3rd, 1932.

Read second time August 24th, 1932.

Placed upon its passage August 24th, 1932.

Ayes 2

Nays 0

Declared passed and approved by the Mayor this 24th day of August, 1932.

J. F. Hosch
Mayor

ATTEST:

L.G. McReynolds
City Recorder.

ORDINANCE (N.S.) 183.

An Ordinance to amend Section 2 of Ordinance N.S. 136, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 2 of Ordinance N.S. 136 be and the same is hereby amended to read as follows, to-wit:

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, that it shall be unlawful for any person

a. To have in his possession intoxicating liquor lawfully procured and within his possession at the time of the taking effect of this ordinance and to have in his possession intoxicating liquor purchased from a registered pharmacist as hereinafter provided;

b. To make or sell vinegar, alcohol manufactured for denaturization only, and actually denaturized under the rules and regulations of the United States Government, and non-intoxicating cider or fruit juices, or to make or have in possession wine for sacramental purposes only;

c. It shall be lawful for a registered pharmacist, duly licensed as such within the State of Oregon, to sell intoxicating liquor on the prescription of a duly licensed physician in good standing, actually engaged in the practice of his profession in the State of Oregon, to the person to whom such prescription is issued, providing such pharmacist holds a permit to sell such intoxicating liquor issued by the Government of the United States, and only in the manner and to the amount by such permit.

Section 2. WHEREAS, the present ordinance regulating the sale of intoxicating Liquor on doctors prescriptions within the City of Bend is inoperative and not susceptive of complying with the State law, and it is necessary for the preservation of the peace, health and safety of said City that said Ordinance be amended to comply with the State law; therefore an emergency is declared to exist and this ordinance shall be and become immediately effective and in full force and effect upon its passage by the Commission and approval by the Mayor.

Read the first time, January 4, 1933.

Read the second time, February 1, 1933.

Put upon its passage February 1, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 1st day of February, 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 184.

An Ordinance amending Section 1 of Ordinance N.S. 136, as amended by ordinance No. N.S. 183.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Ordinance N.S. 136 as amended be and the same is hereby amended to read as follows, to-wit:

Section 1. The words "intoxicating liquor " as used in this Ordinance shall be construed to embrace all spirituous, 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 3.2 percent of alcohol by weight, shall be deemed to be embraced within such term, independantly 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. WHEREAS, the present ordinance regulating the sale of intoxicating liquor restricts the sale of beverages in a manner conflicting with the regulations of the present laws of the United States, and said Ordinance being in conflict therewith and for that reason being inoperative and not susceptive of complying with the said Federal Law, It is necessary for the preservation of the peace, health and safety of the City of Bend that said Ordinance be amended to comply with the said Federal regulations; therefore an emergency is hereby declared to exist and this Ordinance shall be and become immediately effective and in full force and effect upon its passage by the Commission and approval by the Mayor.

Read the first time March 22, 1933.

Read the second time April 5, 1933.

Put upon its passage April 5, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 5th day of April, 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

2RBGd

ORDINANCE (N.S.) 185.

An Ordinance licensing, regulating and controlling the sale and distribution of non-intoxicating beverages, fixing the amount of license fees, providing for the revocation of licenses and providing other terms and conditions together with a penalty for the violation thereof and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1.
DEFINITIONS.

1. Non-intoxicating beverages: As used in this ordinance the words "non-intoxicating beverages" mean and shall be construed to mean and embrace all beverages intended to be, and used, as a beverage containing one half of one per centum, or more, of alcohol by volume and not more than 3.2 per centum of alcohol by weight, or less, brewed or manufactured, stored, sold or removed for consumption or sale in the City of Bend, by whatever name such beverages may be called, authorized by the laws of the United States to be brewed, manufactured, stored, sold or removed for consumption or sale.

2. Person: The word "person" as used in this ordinance shall mean and include any person, firm or corporation; the singular number shall be understood to include the plural and the masculine pronoun shall include the feminine.

3. Wholesale Dealer: The term "wholesale dealer" as used in this ordinance shall mean any person who keeps, stores or sells or in any manner disposes of non-intoxicating beverages in the original package for resale purposes and not to be consumed in, on or about the premises of the wholesaler.

4. Retail dealer selling in broken packages. The term "retail dealer selling in broken packages" as used in this ordinance shall mean any person maintaining and operating a store and offering for sale or selling from the store non-intoxicating beverages in the original or unbroken packages such as by bottle, case or keg and which said beverages are not to be consumed on the premises nor resold.

6. Retail dealer selling in the original unbroken packages to be drunk on the premises: The term "retail dealer selling in original unbroken packages to be drunk on the premises" as used in this ordinance shall mean any person maintaining and operating a place where non-intoxicating beverages are sold in original bottles, or containers, and disposed of to consumers with the intention that said bottles be opened and the non-intoxicating beverages therefrom may be drunk on the premises.

7. Store: The word "store" as used in this ordinance shall be construed to mean and include any place in which goods, wares ormerchandise of any kind are sold, or kept for sale.

8. Commission: The word "commission" as used in this ordinance shall be construed to mean and include the Mayor and/or the Commissioners of the City of Bend, and each thereof, or their duly authorized officers or agents as appointed under the Charter provisions of the City of Bend.

9. Sell or Selling: The words "sell or selling" as used in this ordinance shall include the soliciting or receiving of orders for, to keep or expose for sale, to deliver or otherwise dispose of goods, wares and merchandise including non-intoxicating beverages as herein defined.

SECTION 2.
SALE OF NON-INTOXICATING BEVERAGES,
LICENSE REQUIRED.

1. It shall be unlawful for any person to keep, store, or offer for sale, sell, serve, or in any manner dispose of non-intoxicating beverages as defined by Section 1, without first obtaining a license therefor.

SECTION 3.
APPLICATION FOR LICENSE

1. Any person desiring to secure a license to engage in the sale, or the serving of non-intoxicating beverages shall first make application therefore, in writing, to the Commission of the City of Bend on a form prepared and furnished by the Commission of the City of Bend, which application shall contain such reasonable information touching and concerning the applicant and the proposed location of his place of business as the Commission may require, and submit with such application his license fee herein prescribed, whereupon the Commission shall, at its first meeting thereafter, consider said application, and, if, in their judgment, such application should be granted, a license shall be issued and if not so granted, the said license fee accompanying said application shall be returned to the applicant.

SECTION 4.
QUALIFICATIONS OF APPLICANT AND RESTRICTIONS.

1. The Commission shall require of such applicant, either as a retailer or wholesaler as herein provided, evidence thatsuch applicant is of good moral character and a law abiding person and that he will not be liable to violate the terms of this Ordinance, but no such application shall be granted to sell in broken packages if the said applicant proposes to carry on his said business within 400 feet of any public school or school building where school is usually held, and then, the Commission shall have the right, if in their judgment the location proposed by such applicant is not a proper place where such non-intoxicating beverages should be sold, to refuse such application and reject the same, and that the said application shall be rejected and disallowed by the commission if, for any other reason, in their judgment, if shall appear that the said applicant is not a proper person to have such license, and further, the said commission shall have the right, at any time after a license is granted as herein-provided for, to revoke and cancel the same when in the judgment of the said commission it is adviseable so to do.

2. Any license granted as herein provided for shall, at all times, be displayed at the place of business of such licensee, and that such place of display shall be convenient for the observation, and check, of any one entering said place of business.

3. The Commission, and/or, its duly authorized officers and agents shall, at all times, have the right and privilege of entering the said licensee's place of business for the purpose of checking the alcholic content of any beverages there kept for sale or for the purpose of ascertaining if the licensee of such premises is conforming to the provisions of this ordinance.

4. It shall be unlawful for any such licensee to acquire or have on hand, or possess, any non-intoxicating beverage except that which he may have purchased or acquired from a brewer or wholesaler licensed under the provisions of this ordinance or some other law whereby the same may be lawfully acquired, or to suffer or permit any person to drink or consume such non-intoxicating beverage, or beverages, on his premises, or to sell to or give away any non-intoxicating beverage to any person under the age or eighteen (18) years.

SECTION 5.

LICENSE FEES.

1. Each licenseee, according to the class hereinbefore set out and described (which shall be in addition to licenses heretofore provided for under the ordinances of the City of Bend for the operation of other lines of business) shall pay the following annual license fees, to-wit:

Each Wholesale dealer
$40.00 per year, payable in advance.

Each Retail dealer selling in broken packages:
(on draught or in broken packages which may be consumed on the premises)
$40.00 per year, payable in advance.

2RBGd

Each Retail dealer selling in unbroken packages:
$10.00 per year payable in advance.

Each Retail dealer selling in original unbroken packages to be drunk on the premises:
$20.00 per year, payable in advance.

2. License fees herein set out shall be collected annually in advance, payable on the first of each year, and any license fee collected hereunder for the year 1933 to be collected on the basis of three-fourths of one year.

3. Any license fee collected hereunder, where the said license shall later be revoked for reasons as herein provided, shall not be returned to the said licensee in case said license is revoked and cancelled. Said license shall not be transferrable, except on approval by the City Commission.

SECTION 6.
PENALTY FOR VIOLATING THIS ORDINANCE.

1. Any person who shall violate any of the provisions of this ordinance, whether he be a licensee herein or otherwise, upon conviction thereof, shall be punished by a fine not exceeding $500.00 or by imprisonment in the City Jail for not more than six months, or by both such fine and imprisonment, and in such case, such convicted person is the holder of a license as herein provided for, such license shall be revoked.

SECTION 7.

1. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this, that the Act of Congress defining and legallizing non-intoxicating beverages goes into effect on April 7, 1933, and in order to give the people of the City of Bend immediate legal right to sell and consume such non-intoxicating beverages, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission, and approval by the Mayor.

Read for the first time March 22, 1933.
Read for the second time April 5, 1933.

Put upon its passage April 5, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 5th day of April, A.D., 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 186.

An Ordinance amending Section 1 of Article XXI of Ordinance N.S. 140, as amended by ordinance N.S. 147 and Ordinance N.S. 161, and Ordinance N.S. 164, and Ordinance N.S. 180.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1, of Article XXI of Ordinance N.S. 140, as amended by section one of Ordinance N.S. 147 as amended by Ordinance N.S. 161 and as amended by Section Three of Ordinance N.S. 164, and Section 1 of Ordinance N.S. 180, be and the same is hereby amended to read as follows:

That fees for all licenses as provided by this Ordinance shall be as follows:

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Billiard, Card and/or Pool rooms, for each table over one per quarter	2.50
Bowling Alleys, for each Alley per quarter or fraction thereof	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class I, per day, or fraction thereof	4.00
" Class II, per day, or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof	5.00
Second Hand Dealers, per quarter or fraction thereof	2.50
Junk Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat per quarter or fraction thereof.	.02
Milk Dealers, per year, distributing less than 25 quarts per day	1.00
From 25 to 50 quarts per day	3.00
From 50 to 100 quarts per day	5.00
From 100 to 300 quarts per day	8.00
From 300 to 500 quarts per day	12.00
From 500 to 700 quarts per day	25.00
From 700 to 900 quarts per day	37.50
From 900 quarts, upwards, per day	50.00
Peddlers, per day, Class I (Any fraction of a day is a day)	3.00
Class II,	5.00
Class III	7.50
Class IV	10.00
Class V	15.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesmen, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	10.00
Vehicles for Hire, per year or fraction thereof	10.00
Transient Merchants, per month or fraction thereof	100.00
Wood saws, per annum	25.00
Circus, each performance	150.00
Carnivals, per day	150.00
Plus $25.00 for each concession therewith, concession fee to be paid once only.	
Operatic and Dramatic Shows, First Day	50.00
With an increase of $10.00 for each and every day thereafter, as $60.00 the second day, $70.00 the third day, etc.	
Auctioneers, Special, per day	25.00
General, per day	5.00

Read the firs time, March 1st, 1933.

Read the second time, April 19, 1933.

Put upon its passage, April 19, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 19th day of April 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

2RBGd

ORDINANCE (N.S.) 187.

An Ordinance to Amend Section 5 of Ordinance N.S. 108.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 5 of Ordinance N.S. 108 be and the same is, hereby amended to read as follows:

Section 5. It shall be unlawful for any person, persons, firm and/or corporation to purchase and/or sell any such explosive for use within the corporate limits of the city unless such purchaser has a license to use such explosive within the City of Bend, such license to be issued by the City Manager upon a showing by the applicant that such applicant is a person competent to use such explosive, the applicant to pay the City of Bend the sum of Ten Dollars therefore, and said license to be good for one year from the date thereof, provided, however, that any licensed drain-man will be issued the license herein provided for upon a showing that the license theretofore issued to him as such drain-man, is not in arrears ofpayment.

Read for the first time, May 3, 1933.

Read for the second time, May 17, 1933.

Put upon its passage May 17, 1933.

Yeas 2

Nays 0

Submitted to and approved by the Mayor this 17th day of May, 1933.

J. F. Hosch
Mayor

ATTEST:

L.G. McReynolds
City Recorder.

ORDINANCE (N.S.) 188.

An Ordinance to amend Section 3 of Ordinance N.S. 116.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 3 of Ordinance N.S. 116 be and the same is, hereby amended to read as follows:

Section 3. After favorable action by the City Manager upon said application, the license provided herein 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, to-wit:

For the installation, alteration, repair and maintenance of plumbing and drainage systems, sewers, septic tanks and cess pools, for a period of one year, the sum of $20.00

For the installation, alteration, repair and maintenance of sewers, septic tanks and cess pools, for a period of one year, the sum of.....$12.50

and no license shall be issued for a period of less than one year.

Read for the first time, May 17, 1933.

Read for the second time, June 7, 1933.

Put upon its passage June 7, 1933.

Yeas 3

Nays 0

J. F. Hosch
Mayor.

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE(N.S.) 189.

An Ordinance to regulate the registry of dogs, to provide for the taking up, impounding and killing of dogs not properly licensed; providing for licensing of all dogs, providing for the execution of a contract with the County Court and the employment of a deputy charged with the enforcement of this ordinance and providing for a penalty for the violation hereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person, owning or having charge, care or control of any dog, male or female, over the age of 8 months to permit or allow the same to run at large upon any street, alley, lot or public place within the corporate limits of the City of Bend, unless there shall be attached, to such dog, a collar on which there shall be a tag with an appropriate number to be obtained from, or through the County Clerk of Deschutes County, Oregon, as hereinafter provided, and it shall be unlawful for any person to imitate or counterfeit such tag and place the same on any such dog within the City.

Section 2. The City Manager is hereby empowered, to make apolication to the County Court of Deschutes County, Oregon, for an agreement between said Court and the City of Bend whereby such City of Bend shall undertake to diligently enforce the collection of licenses imposed under this ordinance within the City limits of the City of Bend and in a manner which shall not conflict with the laws of the State of Oregon as now in force.

Section 3. It shall be the duty of the Chief of Police, or any person whom the City Manager may appoint as deputy Pound Master to carry out the provisions of this ordinance, and to cause any dog found running at large, or upon the streets of the City, not having a collar around his or her neck with such tag as in this ordinance provided, to be taken up and impounded, and if such dog shall not be redeemed as hereinafter provided within four days after the impounding thereof, it shall be the duty of the Chief of Police, or such deputy Pound Master, to sell, or cause to be sold such dog, or kill or cause to be killed such dog, and have the same buried outside the limits of the City. The Chief of Police or Deputy Pound Master shall receive from any person, any dog running at large, contrary to the provisions of this ordinance, and all dogs whether taken by said Chief of Police or Deputy Pound Master, or delivered to them, shall be safely restrained by them. If any impounded dog be not reclaimed by the owner thereof, within four days, suchdog shall be offered for sale by the officer having such dog in charge, and if no bid is made for such dog at such sale, such dog shall be killed and buried. If sold, the proceeds of such sale shall be paid to the City Treasurer and by him deposited in the General fund. No dog so impounded shall be delivered to the owner or purchaser thereof until a tag is purchased for said dog, and a pound fee of $1.00, plus ten cents per day for keeping such dog during the time it has been impounded, is paid to the City Treasurer, provided that in case where a dog has been impounded for which the owner has purchased a tag and attached the same to a collar and the same has been lost or stolen, on proof thereof, such dog shall be released upon a substitute tag being attached.

Section 4. The tag to be attached to the collar of the dog as herein provided for shall be obtained by the owner from the County Clerk of the County of Deschutes, State of Oregon, or from his duly authorized deputy, and the fee, or charges to be collected annually from the ownerin a sum not greater than $2.00 for each male or each spayed bitch dog, and not greater than $3.00 for each female dog over the age of eight months, and that such fees and charges shall be annual fees based on a year, or any fraction thereof, ending December 31st.

Section 5. Any person owning or having charge, control or care of any fierce, dangerous or mischievous dog shall, when ordered so to do by the Chief of Police, securely muzzle said dog before permitting it to run at large within the City limits, and in case of failure to forthwith obey orders of such officer, such person shall be deemed guilty of a violation of this ordinance.

Section 6. It shall be unlawful for any person or persons to hinder or molest any person or persons engaged in seizing or killing any dog, in conformity with the provisions of this ordinance, or to release any dog when impounded with the authority of such Chief of Police or Deputy Pound Master.

Section 7. No mad dog, or female dog in time of heat, shall be permitted to run at large within the City limits, and it shall be unlawful for any person to kill any mad dog running at large, whether it is wearing a license or not, provided, however, that any person killing such dog shall immediately notify the health officer of the City, who shall immediately take charge of the body and examine the head thereof for rabies, and if such examination fails to disclose that such dog was mad, theperson killing it shall not be protected by the provision s of this section, and any owner allowing a mad dog, or female dog in heat, to run at large shall be guilty of a violation of this ordinance and punished accordingly.

Section 8. Any person or persons violating the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than Fifty Dollars, or by imprisonment in the City Jail for not more than twenty days, or by both such fine and imprisonment.

Section 9. In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this: That the act of the legislature of the State of Oregon known as house bill No. 116 as passed by the regular session of the 37th legislative assembly permitting and allowing Cities of less than 100,000 population to enter into contracts with the County Court or the dog control district board of any County whereby the said City or town shall undertake to diligently enforce the collection of the license fees imposed under the said act within the City limits of such town to aid in the control of dogs running at large, within said City or town, and in order to give the people of the City of Bend the immediate benefit of said act and to control said dogs running at large, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time June 9, 1933.

Read for the second time June 21, 1933.

Put upon its passage June 21, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 21st day of June, 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 190.

An Ordinance to amend Section 3 of Ordinance N.S. 189 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 3 of Ordinance N.S. 189 be and the same hereby is amended to read as follows:

Section 3. It shall be the duty of the Cheif of Police, or any person whom the City Manager may appoint as deputy Pound Master to carry out the provisions of this ordinance, and to cause any dog found running at large, or upon the streets of the City, not having a collar around his or her neck with such tag as in this ordinance provided, to be taken up and impounded, and if such dog shall not be redeemed as hereinafter provided within seven days after the impounding thereof, it shall be the duty of the Cheif of Police, or such deputy Pound Master, to sell, or cause to be sold such dog, or kill or cause to be killed such dog, and have the same buried outside the limits of the City. The Chief of the Police or deputy Pound Master shall receive from any person, any dog running at large, contrary to the provisions of this ordinance, and all dogs, whether taken by said Chief of Police or deputy Pound Master or delivered to them, shall be safely restrained by them. If any impounded dog be not reclaimed by the owner thereof, within seven days such dog shall be offered for sale by the officer having such dog in charge, and if no bid is made for such dog at such sale, such dog shall be killed and buried. If sold the proceeds of such sale shall be paid to the City Treasurer and by him deposited in the General Fund. No dog so impounded shall be delivered to the owner or purchaser thereof until a tag is purchased for said dog and a pound fee of $1.00 plus ten cents per day for keeping such dog during the time it has been impounded, is paid to the City Treasurer, provided that in case where a dog has been impounded for which the owner has purchased a tag and attached the same to a collar and the same has been lost or stolen, on proof thereof, such dog shall be released upon a substitute tag being attached. Immediately after taking up any dog as provided for herein the Pound Master shall use his best efforts to ascertain the person entitled to the possession of such dog and if ascertained shall thereupon notify him of the impounding of the same. In case any impounded dog shall not be claimed by any person within two days after he shall have received notice of such impounding, or in case the pound master, after diligent search and inquiry, is unable to locate such person, the pound master shall, not less than seven days after the impounding of said dog, sell the same at public auction to satisfy the costs and expenses of impounding and keeping said dog, and before selling any such dog or before any such dog shall be killed as hereinbefore provided for, the pound master shall give notice thereof by at least one publication in a newspaper published in the City of Bend, at least five days before such sale, or before said dog shall be killed. Said notice shall contain a brief description of the animal, provided however, that a reasonably accurate description of the said dog will be sufficient.

In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: That the City is now actively engaged in the control of dogs running at large without license therefor and it being necessary to dispose of any such dogs so impounded as herein provided for, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time August 2, 1933.

Read for the second time August 16, 1933.

Put upon its passage August 16, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 16th day of August, 1933.

ATTEST:
L.G. McReynolds
Recorder.

J. F. Hosch
Mayor

ORDINANCE (N.S.) 191.

An Ordinance pursuant to Chapter 13 of the 1933 Session Laws as appears at page 29 thereof authorizing municipal corporations to accept bonds and interest coupons in payment of special assessments and also in payment for lands sold, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Pursuant to the power and authority granted by Chapter 13 of the 1933 Session Laws, page 29 thereof, it shall be lawful for the City of Bend to accept the general obligation bonds and/or interest coupons attached of the said City of Bend in payment of all or any part of special assessment liens, interest or penalties of or payable to the City of Bend, and further the said City of Bend is likewise hereby authorized to accept such bonds and/or interest coupons in payment of the purchase price of any lands for sale by the City of Bend, which lands have been heretofore or may hereafter be acquired by the said City of Bend.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, in order that property owners may avail themselves of the rights granted by this Ordinance and the statute upon which the same is based at the earliest possible date, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time August 16, 1933.

Read for the second time September 6th, 1933.

Put upon its passage September 6th, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of September, 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 192.

An Ordinance to provide for the issuance of the City of Bend, Oregon, refunding Bancroft Bonds in the principal sumof $25,000.00; prescribing the form of said bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature November 1, 1933, and declaring an emergency.

WHEREAS, on November 22, 1923, pursuant to Ordinance No.229 passed by the Council and approved by the Mayor of the City of Bend on the 22nd day of November, 1923, as authorized by the charter of said City of Bend adopted November 22, 1911, the said City of Bend issued $110,021.70 of Bancroft Bonds of the City of Bend, Oregon, 1923, and which said bonds were in denominations of $500.00 each and were numbered consecutively from 1 to 221 inclusive, bearing interest at the rate of 6 per cent per annum, payable semi-annually on the 1st day of November and May of each and every year, and which said bonds ran for a period of 10 years from said date, and of which $25,000.00 will mature on November 1, 1933, and on which said date will be due and payable, and

WHEREAS, there are no funds on hand in the treasury of said City of Bend to apply in payment of the principal of any of said bonds, THEREFORE,

2RBGd

THE CITY OF BEND DOES ORDAIN:

Section 1. That there be issued $25,000.00 of refunding bonds of the City of Bend, by virtue of this ordinance and as authorized by Chapter 156, Oregon Laws, 1933, for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the first day of November, 1923, and which said bonds will become due and payable on the first day of November 1933; the said refunding bonds shall be in the denomination of $500.00 each; shall be dated November 1, 1933; shall mature in the installments of $15.00.00 each of the years 1935 and 1936, $2,000.00 each of the years 1937 and 1938, $2,500.00 each of the years 1939 and 1940, $3,000.00 each of the years 1941 and 1942 and $3,500.00 each of the years 1943 and 1944 and shall bear interest at the rate of six per cent per annum, payable semi-annually in November and May of each year. The said bonds shall be signed by the Mayor and City Recorder, and the coupons attached thereto shall bear the facsimile signature of said officers. The Principalof and the interest on such bonds shall be payable at the office of the City Treasurer of the City of Bend and the bonds shall be numbered 1 to 50 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promise to pay to bearer the sum of Five Hundred Dollars on the 1st day of November 19---, with interest thereon at the rate of six per cent per annum, payable semi-annually, upon presentation and surrender of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer in Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $25,000.00 of such bonds for the purpose of refunding a like amount of Bancroft bonds of said City due November 1, 1933, which were issued by virtue and in pursuance of Ordinance No. 229 duly passed by the Council and approved by the Mayor on the 22nd day of November, 1923, and it is hereby certified that every requirement of the constitution and laws of the State of Oregon has been duly complied within the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by the charter of said town.

IN WITNESS WHEREOF, The City of Bend, Oregon, has caused this bond to be signed by its mayor and countersigned byits Recorder under the Corporate seal of said City and the interest coupons attached hereto to bear engraved facsimile signature of said Mayor and Recorder, all as of the first day of November, 1933.

J. F. Hosch
Mayor

Countersigned.

L.G. McReynolds.
Recorder.

COUPON

No.------- $15.00

On the_____day of_____,193___the City ofBend, Oregon will pay to bearer

_____Dollars

At the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft bond.

Dated this 1st day of November,1933.

L. G. McReynolds,
Recorder.

J. F. Hosch
Mayor.

Section 2. That the Commissioners of the City of Bend levy a tax or provide other funds by law in 1934 and each year thereafter to and including the year 1944 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1934		$1500.00
1935	$1500.00	1500.00
1936	1500.00	1410.00
1937	2000.00	1320.00
1938	2000.00	1200.00
1939	2500.00	1080.00
1940	2500.00	930.00
1941	3000.00	780.00
1942	3000.00	600.00
1943	3500.00	420.00
1944	3500.00	210.00

Section 3. The Recorder is hereby authorized and instructed to advertise said bonds for sale at a special meeting of the Commissioners to be held on the 5th day of October, 1933, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a newspaper of general circulation published in Bend, Oregon, County of Deschutes, said notice to provide that the bonds shall bear interest at the rate of six per cent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said bonds and that the Commission reserves the right to reject any or all bids, or to sell all or any part of the bonds.

Section 4. In the event that the Commission does not receive a satisfactory bid, or bids, for said refunding bonds, the Mayor and Recorder shall, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft Bonds maturing November 1, 1933 pursuant to agreements entered into between the said Mayor and Recorder acting in behalf of said City of Bend and the holders of the said outstanding Bancroft Bonds.

Section 5. WHEREAS, it is essential that the outstanding Bancroft bonds of the City of Bend which will mature November 1, 1933 be refunded, redeemed and retired on their due date without delay through sale of the aforesaid refunding bonds, or through exchange thereof for the matured bonds, and it is therefore necessary for the peace, health, safety and credit of the City of Bend, Oregon, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time September 6, 1933.

Read for the second time September 20, 1933.

Put upon its passage September 20, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 20th day of September, 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 193.

An ordinance providing that on and after October 1, 1933, any person, firm, co-partnership, association or corporation privately owning and then operating a public utility and using and/or occupying, in whole or in part, the streets, avenues, lanes, alleys, public highways, public grounds, or public places and continuing to use and/or occupy the same without a franchise shall pay a privilege tax; providing for the privilege tax;fixing the amount of the privilege tax, the time, manner, and mode of payment; requiring statements of gross earnings: providing against estoppel or waiver, and imposing penalties, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. PRIVILEGE TAX LEVIED: On and after October 1, 1933, any person,firm, co-partnership, association or corporation privately owning and then operating a public utility and using and/or occupying and continuing to use and/or occupy the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits of the City of Bend without a franchise shall pay a privilege tax for the use and occupancy of the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits of the City. The privilege tax shall be in an amount of five (5) per cent of the gross revenue earned by the utility, payable every three months, within the corporate limits of the City. The privilege tax shall commence on the first day of October, 1933, and shall be due and payable each three months thereafter and so long as the utility continues to operate within the city and to use and/or occupy the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds or public places without a franchise. In the event a franchise is granted to any person, firm, co-partnership, association, or corporation to operate a utility that is subject to the privilege tax herein required and the franchise becomes effective then the privilege tax shall cease to apply from the effective date of the franchise, but the franchise holder shall pay the proportionate earned amount of the privilege tax for the then quarterly period, and the privilege tax shall in such cases become immediately due and payable, and if not paid, collectible, as provided in section 3 of this ordinance.

Section 2. REPORT OF GROSS EARNINGS: Each person, firm or co-partnership operating a public utility subject to the privilege tax provided for in Section 1 of this ordinance, or if such utility be an association or a corporation, then the President and/or secretary and/or treasurer and/or general manager or other officer or agent of such association or corporation having general control, management, or supervision of its business in the City, shall file with the Recorder a statement, verifeid under oath, of the utility's gross revenues earned within the boundary of the City for each three months period. The first quarterly report shall be filed on or before January 15, 1934, and subsequent quarterly reports shall be filed on or before April 15, July 15th, and October 15th of each year, and as long as the utility operates without a franchise. In the event a franchise is granted to any person, firm, co-partnership, association or corporation to operate a utility that is subject to the privilege tax herein required and the franchise becomes effective then a report shall be filed with the Recorder within ten days after the franchise becomes effective showing the gross revenues earned for the proportionate period of the quarter.

Section 3. TIME OF PAYMENT OF TAX: The first payment of the privilege tax shall be paid for the quarter ending December 31, 1933 on or before January 20, 1934, and subsequently quarterly payments shall be made on or before April 20th, July 20th, October 20th, and January 20th of each year. In the event the utility fails to pay the privilege tax within the time fixed, the City Treasuere shall notify the City Attorney of such fact and the City Attorney is authorized to and shall institute an action or proceeding in any Court of the State of Oregon against the person, firm, co-partnership, association, or corporation owning and operating the utility to recover the amount of the privilege tax due the City.

Section 4. PENALTY FOR FAILURE TO REPORT: Any person, firm, or co-partnership subject to this ordinance, or any officer or agent of any association or corporation subject to the privisions of this ordinance, who fails, neglects or refuses to file with the Recorder the quarterly statement of gross earnings of the association or corporation of which he is an officer or agent for a period of ten (10) days after the statement is required to be filed with the Recorder, shall, upon conviction thereof in the Municipal Court be punished by a fine of not more than Five Hundred ($500.00) Dollars or by imprisonment in the City Jail for not more than six (6) months or by both such fine and imprisonment, and each day of such failure, neglect, or refusal to file the statement with the Recorder shall be deemed a separate offense and shall subject such person, officer, or agent to like conviction and punishment.

Section 5. PRIVILEGE TAX APPLICABLE TO OTHER CASES: The terms of this ordinance and the privilege tax herein required shall immediately apply and continue to apply to all persons, firms, co-partnerships, associations or corporations privately owning and/or operating public utilities using and/or occupying and continuing to use/ and/or occupy the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits where, on or after October 1,1933, the utility's franchise to so operate expires and no new franchise shall have been granted and become in full force and effect.

Section 6. NO WAIVER OR ESTOPPEL: Nothing in this ordinance or any other ordinance granting a franchise or right to any person, firm, co-partnership, association or corporation to operate a privately owned utility, nor anything done or performed, or moneys expended under any ordinance, shall be regarded or held to estop or prevent the City from requiring the utility to cease using and/or occupying the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits upon the expiration or other termination of such franchise or right to use and/or occupy in whole or in part the streets, avenues, lanes, alleys, public highways, public grounds, or public places.

Section 7. EMERGENCY: In as much as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: In order that the property owners may avail themselves of the rights granted by this ordinance and the laws of the State of Oregon relating hereto, at the earliest possible date, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time September 6, 1933.

Read for the second time September 20, 1933.

Put upon its passage September 20, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 20th day of September, 1933.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 194.

An Ordinance repealing Ordinance N.S. 136, N.S. 183, N.S. 184, and N.S. 185, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinances Numbered N.S. 136, N.S. 183, N.S. 184, and N.S. 185, be and the same are hereby repealed.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this, that the 18th Amendment to the Federal Constitution has been repealed or abrogated and the State of Oregon is thereby vested with power and authority to control and regulate the sale and disposition of any and all intoxicating liquor and the Legislature of the State of Oregon have provided means for the handling of such liquor to the exclusion of all other authority in the State of Oregon except the United States of America and that the ordinances are in conflict with such State law and should be repealed. hereby repealed without delay, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission, and approval by the Mayor.

Read for the first time December 5, 1933.

Read for the second time January 3, 1933.

Put upon its passage January 3, 1934.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 3rd day of January, A.D. 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 195.

An Ordinance to provide for the regulation and control of the manufacture of and traffic in alcoholic beverages, to provide a system of licenses, to define certain offenses and the punishment thereof, and repealing all other ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. SHORT TITLE. This Ordinance may be cited as the City Liquor Control Ordinance.

Section 2. DECLARATION OF POWER. Acting as far as applicable in pursuance of the power granted to the City by the Constitution of Oregon, and its charter, and acting as one of the subordinate municipal agencies of the State of Oregon under an act of the Legistlative Assembly of the State of Oregon entitle "An Act to provide for the regulation and control of the manufacture of and traffic in alcoholic beverages; to establish a Commission to administer such act and define the duties thereof, and making an appropriation therefore; to provide a system of licenses and permits; to define certain offenses and the punishment thereof; repealing certain acts herein specified; and declaring an emergency." Passed by the Second Special Session of the Oregon Legislative Assembly 1933, December 9, 1933, and signed by the Governor, December 15, 1933, and for the purpose of assisting the State of Oregon in the carrying out of such act in the City pending

the time necessary for the state to act in full compliance with its said act by and through its Oregon Liquor Control Commission created by the said act and the alcoholic liquors within the corporate limits may be im-ported into,manufactured, kept for sale, sold and consumed and that in the event the Supreme Court of Oregon should declare said act or any part thereof in contravention of the Constitution of Oregon or any section thereof or decreeing that the municipalities of the State of Oregon are in control of liquor, that the City will have an ordinance controlling liquor, the Commission ordains that this ordinance shall be deemed an exercise of the police powers of the city and as a subordinante agency of the state, for the protection of the safety, welfare, health, peace and morals of the city and the state, to prevent the recurrence of abuses associated with saloons or resorts for the consumption of alcoholic beverages and to eliminate the evils of unlicensed and unlawful manufacture, selling and disposing of such beverages and to promote temperance in the use and consumption of alcoholic beverages; and it hereby is declared that the subject matter of this ordinance involves in the highest degree the economic, social and moral wellbeing and the safety of the city and all its people and by reason thereof is a necessary subject for immediate general legislation in order that each municipality throughout the state may put into full force and effect in so far as applicable the general legislation operating uniformly throughout the state by reason of the aforementioned Oregon Liquor Control Actand all provisions of this ordinance shall be liberally construed for the accomplishment of these purposes.

Section 3. DEFINITIONS. For the interpretation of this ordinance unless the context indicates a different meaning:

1. The words "alchoholic liquor" mean any alcoholic beverage containing more than one-half of one per cent of alcohol by volume, and every liquid or solid, patented, or not, containing alcohol, and capable of being consumed by a human being.

2. The word "club" means an association of persons, whether incorporated or unincorporated, for the promotion of some common object (not including associations organized for any commercial or business purpose the object of which is money profit), owning, hiring or leasing a building, of such extent and character as in the judgment of theCouncil may be suitable and adequate for the reasonable and comfortable use and accomodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment, implements and facilities, and employing a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and their guests; provided, that no member or any officer, agent or employee of the club is paid or directly or indirectly receives in the form of salary or other compensation, any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or governing body, and as shall, in the judgment of the council be reasonable and proper compensation for the services of such member, officer, agent or employee.

3. The word "hotel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served and sleeping accomodations are offered for pay to transient guests, in which 20 or more rooms are used for the sleeping accomodation of such transient guests and having one or more dining rooms where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings, in connection therewith, and such structure or structures being provided, in the judgment of the Commission with adequate and sanitary kitchen and dining room equipment and capacity, and having employed therein such number and kinds of servants and employees as the Commission may by regulation prescribe for preparing cooking and serving suitable food for its guests.

4. The word "restaurant" means space, in a suitable building, approved by the Commission kept, used, maintained, advertised or held out to the public to be a place where meals are served without sleeping accommodations, such space being provided, in the judgment of the Commission with adequate and sanitary kitchen and dining room equipment and capacity and having employed ther in such number and kinds of servants and employees as the Commission may by regulation

prescribe for preparing, cooking and serving suitable food for its guests.

5. Whenever the words "to sell" refer to anything forbidden under this ordinance, and relate to alcoholic liquor, said words include: To solicit or receive an order for; to keep or expose for sale; to deliver for value or in any other way than purely gratuitously: to peddle; to keep with intent to sell: to traffic in; for any consideration, promised or obtained, directly or indirectly, or under any pretext or by any means whatsoever, to procure or allow to be procured for any other person; and the word "sale" includes every act of selling as above defined.

6. The word "person" includes an individual, partnership, corporation or club.

7. Commission - The word "Commission" as used in this Ordinance shall be construed to mean and include the Mayor and/or Commissioners of the City of Bend, and each thereof, or their duly authorized officers or agents, as appointed under the charter provisions of the City of Bend.

Section 4. LIQUOR PURCHASES. Between the time the State of Oregon acting by and through its Liquor Control Commission is organizing to take over the full control of liquor in the state and the time the said Commission actually takes full jurisdiction and control over alcoholic liquor in the state and in each municipality in the state, it shall be unlawful, except as hereinafter provided, for any person to bring into the City, manufacture, produce, keep, store, offer for sale, sell or serve, or in any other manner dispose of alcoholic liquors in the city without first obtaining a license.

Section 5. ENUMERATION OF LICENSES. Licenses shall be subject to the regulations of the Commission and the provisions of this ordinance, and shall be of the following classes enumerated and described in this section.

1. Brewery Licenses. A brewery license shall allow the manufacture , storage wholesale and retail sale, distribution and transportation of beer. It shall be unlawful for any licensee of a brewery to sell any beer to be consumed on such brewery premises, if located within the city.

2. Winery License. A winery license shall allow the licensee to manufacture, store, wholesale and retail wines of an alcoholic content of not more than 14 per cent of alcohol by volume, and to manufacture and store wines and fortified wines containing in excess of 14 per cent of alcohol by volume and to sell the same, and to transport the same out of the city for sale beyond the limits of the City. It shall be unlawful for any licensee of such winery to sell any wine for consumption upon his premises, if located within the City.

3. Farmer's Winery License. A farmer's winery license shall permit any farmer who grows grapes or other fruits upon his land to manufacture wine outof such grapes or other fruits and no other, and to sell such wine at wholesale or retail in the city, provided the same shall not contain more than 14 per cent of alcohol by volume. Nothing herein shall be construed as to permit such licensee to fortify such wine. It shall be unlawful for any such licensee to sell any of such wine for consumption upon his premises, if located within the corporate limits of the city.

4. Distillery License. A distillery license shall allow the holder thereof to manufacture, distill, import, rectify, blend and store spirits of an alcoholic content greater than 14 per cent of alcohol by volume, and to sell the same in the city and to transport the same out of the city for sale outside of the city. It shall be unlawful for any such licensee to sell any alcoholic liquors of any kind for consumption on his premises, if located within the city.

5. Wholesaler's License. A wholesaler's license shall allow such licensee to bottle, sell, and/or distribute, and to wholesale beer and/or wine containing not over 14 per cent of alcohol by volume. It shall be unlawful for any such licensee to sell any of such beer or wine for consumption upon his premises, if located in the city; such wholesaler may be granted a license for the special privilege authorized by paragraph 15 of this section upon the payment of the fee provided therefor and in section 7.

6. Restaurant License. A restaurnat license shall allow the licensee to sell to customers seated at tables or seated at a lunch counter over which actual meals are served, on the premises, beer and wine containing not over 14 per cent alcohol by volume, such beer and wine to be sold with actual meals only. No order of such beer or wine shall be filled unless the customer at the time shall also order a meal.

7. Hotel License. Hotel licenses shall be in all respects identical as to privileges, obligation and penalty with restaurant licenses. The sale of any alcoholic liquor in any hotel other than above specified shall be unlawful, and the licensee shall not allow the public consumption of any beer or wine having a content of more than 14 per cent of alcohol by volume in any public room in the hotel.

8. Club Licenses. Whenever a club as defined in section 3 hereof has been in existence and acting not less than two years prior to application therefor, and not otherwise, a club license may be issued which shall allow the retail sale of beer and wine containing not over 14 per cent of alcohol by volume, to be consumed on the premises, and only by members of or their guests. The sale of any alcoholic liquor in such club other than as above specified shall be unlawful.

9. Package Store License. A package store license shall allow the sale by the licensee of beer and wine containing not over 14 per cent of alcohol by volume in sealed packages at retail, such beer and wine not to be consumed upon the premises of such licensee. Such licensee shall be of two classes:

(a) A license allowing the sale of beer containing not over 5 per cent of alcohol by wieght.

(b) A license permitting the sale of beer and wine containing not over 14 per cent of alcohol by volume.

Such package store licensee may be granted a license for the special privilege authorized by paragraph 15 of this section upon the payment of the fee provided therefor and in section 7.

10. Retail Beer License. A retail beer license shall allow anyone operating a place of business where refreshments are served, including restaurants, hotels and clubs, and who otherwise is qualified, to sell for consumption on the premises, by the bottle or glass, beer containing not over 5 per cent of alcohol by weight.

11. Druggist's License. A druggist's license may be issued to any person operating a pharmacy, and who is or has in his employ a qualified registered pharmacist under the laws of the State of Oregon. A druggist's license shall allow the use of alcoholic liquors for the compounding of physicians' prescriptions, and for the manufacturing of all U.S.P. and N.F. preparations and all other medicinal preparations unfit for beverage purposes, and shall allow the sale of all alcoholic liquors listed in the U.S.P. and N.F. in containers of not more than one quart capacity, upon prescription only, and with the limit of one quart on each prescription. It shall be unlawful for any such licensee to permit the drinking of such alcoholic liquors on the premises of any drug store, except that such drug store may hold a retail beer license. Such licensee may for such purposes, purchase alcoholic liquor containing in excess of 14 per cent of alcohol by volume from any source pending the time the Oregon Liquor Control Commission takes full jurisdiction over the licensing, controlling and regulation of alcoholic liquors within the state; such druggist may be granted a license for the special privilege authorized by paragraph 15 of this section upon the payment of the fee provided therefor and in section 7.

12. Sales on Prescription. Registered pharmacists shall be allowed to fill a prescription for any physician duly licensed by the State of Oregon of alcoholic liquors of any kind, without regard to any local option laws or ordinances forbidding the sale of such liquors, provided such prescription shall include the name and address of the person for whom it is prescribed, and shall be signed by the full name of such physician issuing such prescription. Such prescription shall be filled only once, and the person making the sale of such prescription shall write on the face thereof the number of such prescription, and the date of the sale or delivery of such liquor and shall keep such prescription on file and available at all

reasonable times to the inspection of the Commission.

13. Railroad or Boat License. A license may be granted to any corporation which operates an electric or steam railroad in this state or which operates club, parlor, or dining cars upon the lines of any railroad in this state, or to any corporation or person operating a boat or boats engaged in the transportation of passengers to or from any port in this state. Such permit shall allow the sale and public consumption of beer containing not more than 5 per cent of alcohol by wieght, and beer and wine containing not over 14 per cent of alcohol by volume with actual meals in club or dining cars only, if such licensee desires to so sell and serve such liquors within the corporate limits of the city.

14. Industrial Alcohol License. An Industrial alcohol license shall be issued to any person upon compliance with such regulations and conditions as may be fixed by this ordinance. Such permittee shall be authorized to manufacture and sell proprietary and patent medicines, perfumes, lotions, flavoring extracts and other preparations unfit for beverage purposes, within the corporate limits.

15. Until the time the State of Oregon, by and through its Liquor Control Commission shall establish such stores and warehouses in such places in the state (authorizedby section 14 of said state act) as in its judgment are required by public convenience or necessary for the sale of spirituous liquors, wines or other alcoholic liquors containing over 14 per cent of alcohol by volume, in sealed containers for consumption off the premises, and shall keep on hand in such stores or warehouses established by it such quantities and kinds of alcoholic liquors as shall reasonably be required to supply the public demand, as wholesale licensee, a package store licensee, a druggist licensee may purchase, store, sell, have in possession for sale, import or transport spirituous liquor, fortified wine, wine containing over 14 per cent of alcohol by volume, or any other alcoholic liquor containing over 14 per cent of alcohol by volume, provided and conditioned that such wholesale licensee, such package store licensee, or such druggist licensee, shall if desirous of selling such liquors, in sealed packages, pending such time pay an additional annual license fee of $50.00 for such privilege. This privilege license shall be in force and effect only until such time as the state shall take over the full control of alcoholic liquors by its said act.

Section 6. APPLICATION FOR LICENSE. Any person desiring a license or a renewal of license shall make a sworn statement to the Commission upon forms to be furnished by the Commission showing the name and address of the applicant, his citizenship, location of the club or place of business which is to be operated under such license, and such other pertinent information as the Commission may require. No license shall be granted or renewed until the provisions of this ordinance and the regulations of the Commission shall have been complied with. Upon receiving an application for a license, the Commission shall investigate the statements contained in the application, the premises where the applicant proposes to do business, and make such other and further investigations as it may deem proper to ascertain whether the applicant conforms to all of the requirements of this ordinance. The Commission shall consider all applications and may grant or refuse to grant a license. Upon the granting of a license by the Commission, it shall cause to be issued a permit, on a form to be furnished and provided for that purpose and signed by the Recorder, to the applicant, upon the payment to the City Treasurer of the license fees required by this ordinance.

Section 7. LICENSES--AMOUNTS THEREOF. The license fee which shall be paid by each applicant upon the granting of a license, and required of each class of licensee, is as follows:

Annual License	Fee
1. Brewery	$500.00
2. Winery	250.00
3. Farmer's Winery	25.00
4. Distillery	100.00
5. Wholesaler	250.00
6. Restaurant	100.00
7. Hotel	100.00
8. Club	50.00

9.	Package Store, Class A	$10.00
10.	Package Store, Class B	50.00
11.	Druggist	10.00
12.	Railroad, club or dining car	50.00
13.	Boat	50.00
14.	Barge	200.00
15.	Retail Beer	15.00
16.	Industrial alcohol, except licensed druggists,	100.00
17..	Additional license privilege granted by section 5, paragraph 15	50.00
18.	Individual license to buy	1.00

All licenses issued as herein provided, and on and subsequent January 1st of any year, shall not expire until December 31st of the year in which issued, and shall be issued only for the full year.

Section 8. LICENSES NOT GRANTED TO CERTAIN PERSONS. The Commission may refuse to license any applicant if it has reasonable grounds to believe any of the following to be true.:

1. That there are sufficient licensed premises in the locality of the licensee's premises, or that the granting of a license in the locality set out in the application is not demanded by public interest or convenience.

2. That the applicant lacks sufficient funds to maintain an establishment properly:

3. That any applicant to sell at retail for consumption on the premises has been provided with funds, or has any connection with the manufacture of or wholesale dealer in alcoholic liquor;

4. The applicant is in the habit of using alcoholic beverages to excess;

5. That the applicant has made false statements in his application for a license;

6. That the applicant is not a citizen of the United States, or incompetent or physically unable to carry on the management of the establishment proposed to be licensed;

7. That the applicant has been convicted of violating any of the alcoholic liquor laws of the state, general or local, or ordinances of the city, or has been convicted at any time of felony;

8. That the applicant has maintained a noisy, lewd, disorderly, or unsanitary establishment;

9. That there is any other reason which in theopinion of the Commission, based on public convenience or necessity, warrants such refusal to grant such license.

Section 9. LICENSE MAY BE CANCELLED. The Commission may cancel or suspend any such license granted if it finds or has reasonable ground to believe any of the following to be true.

1. That the licensee has violated any provision of this ordinance or any laws of the State of Oregon or the United States, or any regulation of the United States Government, State of Oregon, or the city, controlling, regulating or licensing the sale of alcoholic liquors;

2. That the licensee has made any false representations or statements in his application for a license, in order to induce or prevent action by the Commission;

3. That any retail licensee is acting as an agent of a manufacturer or wholesaler of alcoholic liquors, or has borrowed money or property, or accepted gratuities, or obtained the use of equipment from such manufacturer or wholesaler, or agent thereof;

4. That the licensee maintains a noisy, lewd, disorderly or unsanitary establishment, or has been supplying impure or otherwise deleterious beverages for food;

5. That the licensee is insolvent or incompetent or physically unable to carry on the management of his establishment;

6. That the licensee is in the habit of using alcoholic liquor or habit-forming drugs to excess;

7. That the licensee knowingly has sold alcoholic liquor to persons under twenty-one years of age,or to an Indian; to persons known to be drunkards; to interdicted persons, or to persons visibly intoxicated at the time of the sale; or to other persons not authorized by law to make such purchase.

8. That the licensee has misrepresented to a customer or the public any alcoholic liquor sold by him;

9. That the licensee, since the granting of his license, has been convicted of a felony, or convicged of violating any of the liquor laws of the State of Oregon, United States Government, or this ordinance ;

10. That there is any other reason which in the opinion of the Commission based on public convenience and necessity, warrants cancelling or suspending such license;

11. That the licensee has been convicted of drunkenness;

12. That the licensee has been convicted of a crime involving physical violence;

13. That the licensee has been convicted of driving any automotive vehicle while under the influence of alcoholic liquor, or drunk;

14. That the licensee is receiving financial support or welfare or unemployment aid from any public agency.

Section 10. NOTICE OF HEARING. Whenever information shall come to the Commission, or to the Chief of Police, that any licensee has committed any act rendering his license subject to revocation, it shall be the duty of the officer having such information to forthwith submit the facts, in writing, to the City Attorney. Should it appear to the City Attorney from such report or from other information that there is probable cause for the revocation of such license, he shall make a report thereof to the Commission, stating in general terms the grounds of complaint against such licensee. Such report shall be filed with the Recorder and a copy thereof served upon the licensee, together with a notice citing him to appear before the Commission for investigation of said complaint, at a time and place fixed and stated in such notice. The Recorder shall transmit such report to the Commission. In case personal service cannot be made upon the licensee, the notice shall be mailed to the licensee, addressed to his last known business address. No further pleadings shall be necessary. Such hearing and investigation shall be informal. If upon such hearing or investigation the Commission finds that cause exists for the revocation of such license, the same may be revoked by the Commission.

Section 11. LICENSES GRANTED SHALL BE PURELY PERSONAL PRIVILEGE. Any license granted under the provisions of this ordinance shall be a purely personal privilege, good for the year or proportionate part of the year for which issued, and ending on December 31st of each year at 12 o'clock midnight and revocable for the causes hereinbefore stated, and shall not constitute property, nor shall it be subject to attachment or execution, nor shall it be alienable, nor shall it descend by the laws of testate or intestate devultion, but shall cease upon the death of the licensee; provided,that the Commission may by regulation provide for the time and manner in which the successor in interest of any deceased, insolvent or bankrupt licensee may dispose of alcoholic liquors left on hand by the licensee.

Section 12. GENERAL REGULATIONS

1. All license permits shall be posted in a conspicuous place on the premises and be kept posted during the full period of time for which the license is issued;

2. It shall be unlawful to sell, assign or otherwise transfer such license;

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3. It shall be unlawful to issue a power of attorney for any purpose over the license;

4. The Chief of Police or any police officer, or any officer of the United States, or the Inspector of Licenses, Deputy Inspector of Licenses, or the City Health Officer shall have the right any time to make an examination.of any licensed premises to ascertain if the licensee of such premises is conforming to the provisions of the ordinances of the city and with the laws of the State of Oregon and of the United States;

5. Any licensed person desiring to change his place of business from one location to another shall file with the Recorder an application therefor. The Commission shall make an investigation of the new proposed place of business, and shall consider said application without delay and either approve or reject the same.

6. In the event the licensee sells or transfers his business, or any interest therein, a new license shall be required.

7. The Commission, acting by and through its self, or agents, shall have the right at any time to make an examination of the books andpremises of any licensee, or to take the alcoholic liquor content of liquors carried by said licensee, for the purpose of determining whether this ordinance is being complied with;

8. All firms, persons or corporations hereby are prohibited from brewing, fermention, distilling, blending or rectifying any alcoholic liquor unless licensed so to do; provided that this act shall not apply to the making of naturally fermented wines and fruit juices or beer in the home, for home consumption and notfor sale;

9. It shall be unlawful for any licensee to use,or allow the use of, any mark or label on the container of alcoholic liquor which is kept for sale, which container does not precisely and clearly indicate the nature of the contents of each container or which in any way might deceive any customer as to the nature, composition, quantity, age or quality of such liquor;

10. No such holder of a license may for any reason mix or permit the mixing of any alcoholic liquor which he is authorized to sell with any alcoholic liquor, the saleof which is not authorized by his license;

11. The Commission may prohibit any licensee from selling any brand of alcoholic liquor which in its judgment is deceptively labeled or branded as to content, or contains injurious or adulterated ingredients;

12. All beer sold in this city must be made of pure hops or pure extract of hops and pure barley malt, or other wholesome grain or cereals, and wholesome yeast and pure water, and must be aged at least six weeks. Sixty-six and two-thirds per cent of the extract yielding materials used in the manufacture of such beer must consist of pure barley malt;

13. It shall be unlawful for any person to peddle or deliver alcoholic liquor toor at any place where, without a license, alcoholic liquor is sold or offered for sale, or for any licensee to sell, or offer for sale, any alcoholic liquor of a kind or in a manner, or to a person other than his license permits him to sell.

14. It shall be unlawful for any person to sell alcoholic liquor to any person under the age of twenty-one years, or to an Indian.

15. It shall be unlawful for any person, being the holder of a license to sell alcoholic liquor, either for consumption on his premises, or in sealed packages, to receive assistance financially, or in some other material manner, from any manufacturer or wholesaler of alcoholic liquor, or agent thereof, or for any manufacturer or wholesaler, or agent thereof, to give such assistance;

16. It shall be unlawful for any person to maintain, or assist in maintaining, a common nuisance as defined by this ordinance, or for any person not being licensed under this ordinance to sell or peddle alcoholic liquor, or for any licensee under this ordinance to make contribution to any candidate for political office, or to any political party or measure;

17. It shall be unlawful for any licensee to sell alcoholic liquors to persons who habitually drink alcoholic liquor to excess;

18. No mash, wort, or wash, fit for distillation or for the manufacture of spirituous alcoholic liquors shall be made, fermented or possessed within this city by any person who does not at the time own a distiller's license under this ordinance; provided, however, that nothing herein shall prevent possession of mash for the purpose of manufacturing wine or beer for hom e consumption as provided for in this ordinance.

19. No distillery shall be set up for or operated in this city for the purpose of manufacturing alcoholic liquor for beverage purposes, nor to be used in themanufacture thereof, except by a person duly licensed under the provisions of this ordinance to operate a distillery. Any device or any process which seperates alcoholic spirits from any fermented substance shall be regarded as a distillery. A distillery shall be regarded as set up when the still is in a position over a furnace or is connected with a boiler so that heat may be supplied, although the worm or worm tank is not in position. Any mash, wort, wash or distillery found in any house or on any premises, or within any inclosure, shall, in the case of the mash, wort or wash, be deemed prima facie to have been made and fermented by and in the case of a distillery, shall be deemed prima facie to have been set up by, and to be the property of the person who is in possession of such house, premises or inclosure;

20. In any prosecution for the sale of alcoholic liquor under this ordinance, itshall not be necessary to prove the exact variety or to mention the quantity of alcoholic liquor sold, except in the case where the variety or quantity are essential to establish the offense. As regards quantity, itshall be sufficient to allege the sale of a quantity, the sale of which quantity is unlawful;

21. In the event the United States Government shall provide any plan or method of liquor control or taxes upon alcoholic liquors, all persons licensed under the provisions of this ordinance shall comply with the laws of the United States Government respecting alcoholic liquors, or the rules and regulations of any bureau of the United States Government having in charge the administration of the liquor laws of the United States Government;

22. The advertising of the sale of liquors by window display of liquors containing over fourteen (14) per cent of alcohol by volume is prohibited. A sign on or in a window denoting the fact that such liquors may be purchased in the premises is allowable.

Section 13. NUISANCES. Any rooming house, boat, structure, or place of any kind in the city where alcoholic liquor is sold, manufactured, bartered or given away in violation of this ordinance, or where persons are permitted to resort for the purpose of drinking alcoholic beverages, in violation of this ordinance, or any place where such beverages are kept for sale, barter or gift in violation of this ordinance, and all alcoholic liquor and all property kept and used in said place hereby are declared to be a common nuisance, and any person who maintains or assists in maintaining such common nuisance shall be guilty of violation of this ordinance, and if it shall be proven that the owner of any building or premises knowingly has suffered the same to be used or occupied for the manufacture, sale or possession of alcoholic beverages, contrary to the provisions of this ordinance, such building or premises shall be subject to a lien for and may be sold to pay all fines and costs assessed against the occupant of such building or premises for any violation of this ordinance, and such lien shall be enforced immediately by civil action in any court having jurisdiction by the City Attorney.

The Commission may instruct the City Attorney to commence such appropriate proceedings as is authorized by the laws of the State of Oregon to abate or to temporarily enjoin such nuisance.

Section 14. LIQUOR FOR SCIENTIFIC, MANUFACTURING OR SACRAMENTAL PURPOSES. This Ordinance shall not be so construed as to prohibit the sale of pure alcohol for scientific or manufacturing purposes, or of wines to church officials for sacramental purposes, or of alcoholic stimulants where the same shall have been prescribed by a regularly practicing physician, dated and signed by him, as hereinbefore provided; and provided further that this section shall not be construed so as to prevent any person residing in the city from ordering and having delivered to his home, for the personal use of himself and his family, alcoholic liquors purchased from persons duly licensed to sell the same under this ordinance, and no provision of this ordinance shall by reason only that such product contains alcoholic liquor prevent the sale of any perfume, lotion, tincture, varnish, dressing fluid, extracts, or acid, vinegar, or of any official medicinal or pharmaceutical preparations, or of any patent or proprietary medicine intended solely for medicinal purposes.

Section 15. LICENSED DEALERS PROHIBITED FROM SELLING: No individual shall purchase more than 5 quarts of hard liquor, or liquor containing 14 per cent of alcohol or more by volume, nor more than 5 gallon of wine of a greater percentage than 14% of alcohol by volume during any period of 30 days, and all licensed dealers are hereby prohibited from selling any such liquor to any such individuals and any violations of the provisions of this section shall subject the said dealer, and the individual purchaser, to the penalties provided for in this ordinance.

Section16. PERSONAL PRIVILEGES, Before any individual shall have the right to purchase from any licensed dealer any intoxicating liquor containing 14% of alcohol by volume or more he shall first obtain a license therefor from the Recorder and pay the license fee as provided for in Section 7 hereof.

Section 17. OTHER ORDINANCE IN CONFLICT REPEALED. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 18. SPECIAL FUND CREATED. The Commission hereby declares that in so far as it may legally have power so to do, it is in the enactment of this ordinance and the administering thereof acting as the agent for and on behalf of the State of Oregon and the Oregon Liquor Control Commission, and that it is issuing the licenses herein required for and in the name of the State of Oregon. All moneys received from the issuance of licenses under the provisions of this ordinance shall be by the City Treasurer kept in a separate fund. In the event the Supreme Court of Oregon, or any other court of competent final jurisdiction, decrees that the constitution of the State of Oregon lodges in the City of Bend the exclusive power to license, regulate and control, and to suppress or prohibit the sale of alcoholic liquors therein, then all such license fees paid under the provisions of this ordinance shall belong to the City of Bend and be transferred by the Commission from such special fund to the general fund. In the event the Supreme Court of the State of Oregon, or any other court of competent final jurisdiction, shall decree that the State of Oregon is sovereign over municipalities in the matter of licensing, regulating, or controlling the sale and manufacture of alcoholic liquors and/or that the Oregon Liquor Control Act mentioned in Section 1 of this ordinance is constitutional, then such license fees shall become the property of the State of Oregon, and be paid over to its commission, less any expense incurred by the city in the collection and keeping of said fees. Such expense shall be determined by the Commission and its determination shall be binding upon said commission, and in the event the Supreme Court of the State of Oregon, or any other court of final jurisdiction, declares unconstitutional, in whole or in part, said Oregon Liquor Control Act, or decrees that the City of Bend is wholly or partially in control of the power to license, regulate and control, or to suppress or prohibit the sale of alcoholic liquors, then this ordinance shall continue in full force and effect as the act of the city for the regulation and control of the manufacture and traffic of alcoholic liquors, and all licenses and license fees shall in such event be held to have been issued by the city under its own police power granted to it by its charter.

Section 19. NO REBATE ON SPECIAL PRIVILEGE LICENSE. In the event the State of Oregon, through its Oregon Liquor Control Commission, is decreed tobe in full control of thelicensing and regulating of alcoholic liquors in the city, the special privilege license fee of $50.00 provided for in paragraph 15 of Section 5 shall not be paid over to the State of Oregon, but shall remain in any event the property of the City of Bend.

Section 20. PENALTY. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the Municipal Court, be punished by a fine not exceeding Five Hundred Dollars ($500.00), or by imprisonment in the city jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

Section 21. EMERGENCY. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: It appearing to the Commission that the Oregon Liquor Control Act, now being in full force and effect in the State of Oregon, and therefore applicable to the City of Bend, but the Oregon Liquor Control Commission not being organized to put in full force and effect the administrative features of said act, and that the people of the City of Bend may lawfully purchase, have in possession, and consume alcoholic liquors under a lawful procedure, pending the exercise of the full jurisdiction and control of the state act, by and through the Oregon Liquor Commission, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time December 5, 1933.

Read for the second time January 3, 1934.

Yeas 3

Nays 0

Put upon its passage January 3, 1934.

Submitted to and approved by the Mayor this 3rd day of January, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. MCReynolds
Recorder.

ORDINANCE (N.S.) 196.

An Ordinance to amend paragraphs 6 and 10 of Section Five, of Ordinance N. N.S. 195, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Paragraphs 6 and 10, of Section 5, of Ordinance N.S. 195, be and the same hereby are amended to read as follows:

Paragraph 6. RESTAURANT LICENSE. A restaurant license shall allow the licensee to sell to customers seated at tables or seated at a lunch counter over which actual meals are served, in the premises, beer and wine containing not over 14 per cent of alcohol by volume, such beer and wine to be sold with actual meals only. No order of such beer or wine shall be filled unless the customer at the time shall also order a meal, EXCEPT that no such beer and/or wine shall be so sold or served between the hours of one and six A.M. on all days except Sunday when the prohibited time shall be 2 to 6 A.M.

Paragraph 10. RETAIL BEER LICENSE: A retail beer license shall allow anyone operating a place of business where refreshments are served, including restaurans, hotels and clubs, and who otherwise is qualified, to sell for consumption on the premises, by the bottle or glass, beer containing not over 5 per cent of alcohol by weight, EXCEPT that no such beer and/or wine shall be so sold or served between the hours of 1 and 6 A.M. on all days except Sunday

when the prohibited time shall be 2 to 6 A.M.

EMERGENCY: In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: That the sale of such liquor as is covered by this ordinance should be prohibited at unreasonable hours of the night and thereby eliminate unnecessary ndise at such unreasonable hours and likewise aid in the policy of the City of Bend, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the First time February 7, 1934.

Read for the Second time February 21, 1934.

Put upon its passage February 21, 1934.

Yeas 3

Nays 0

Submitted to and approved by the Mayor

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Mayor

ATTEST:

L. G. McReynolds.
Recorder.

ORDINANCE (N.S.) 197.

Defining the term "alcoholic liquor"; declaring the possession, transportation, sale, disposal, use, purchase, or any other acquisition or disposition of alcoholic liquor as herein defined contrary to the laws of the State of Oregon or the United States of America or the duly promulgated rules and regulations of the Oregon Liquor Control Commission to be unlawful; declaring certain other acts and things relative to the purchase, possession and sale of alcoholic liquor to be unlawful providing a penalty for the violation hereof; repealing all ordinances and parts of ordinances in conflict herewith; and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Defining "alcoholic liquor". The words "alcoholic liquor" as used herein shall mean any alcoholic beverage containing more than one-half of one per cent of alcohol by volume, and every liquid or solid, patented, or not, containing alcohol, and capable of being consumed by a human being.

Section 2. State Law Adopted. The provisions of Chapter 17, Second Special Session, Oregon Laws, 1933, and also all acts amendatory thereof and supplementary thereto, including any and all regulations adopted by the Oregon Liquor Control Commission, relating to the acquisition, possession, or disposition of alcoholic liquors, are hereby adopted as a portion of this ordinance so far as applicable, except as otherwise lawfully provided by this and other ordinances of the city of Bend.

Section 3. State and Federal Law Enforced in City. It shall be unlawful for any person, firm, or corporation, or officers, agents, or employees thereof, within the limits of the city of Bend, to possess, transport, sell, dispose of, purchase, or in any way to acquire or dispose of alcoholic liquor as herein defined, contrary to the laws of the state of Oregon and of the United States of America, or contrary to the duly promulgated rules and regulations of the Oregon Liquor Control Commission. Wherever the singular person is used in this section same shall include the plural.

Section 4. Licensees-hours of Sale. No licensee holding a state license for the sale or disposal of alcoholic liquor not over 14 per cent of alcohol by volume shall, directly or indirectly

sell,give, dispose of, deliver, solicit the sale of, or otherwise dispose of any alcoholic liquor or permit the serving of or consumption of alcoholic liquor on his premises between the hours of 1 o'clock A.M. and 7o'clock A.M. of any day.

Section 5. Places of Business-requirements. It shall be unlawful for any licensee holding a state license for the sale or disposal of alcoholic liquor not over 14 per cent of alcohol by volume to permit drunkenness, lewd, or disorderly conduct or unreasonable or excessive noise, in the place of business where said alcoholic liquor is sold, and the said licensee shall be held responsible for any violation of this section.

Section 6. Licensees-possession of Liquor not Authorized by License. It shall be unlawful for any licensee holding a state license for the sale or disposal of alcoholic liquor tohave in his possession at the place of business covered by said license, any alcoholic liquor which is not included in the scope of his liscense.

Section 7. Places of Business-Screens-Partitions. Any place of business where alcoholic liquor is sold or disposed of shall be of such construction and arrangement that all windows in the front of any such place shall be of clear glass, and the view of the interior shall be unobstructed by screens, curtains, or partitions, provided thatopen ornamental archways from one section of said place of business to another section shall not be deemed to be partitions under the meaning hereof. There shall be no partition , box, stall, screen, curtain or other device which shall obstruct the view of any part of said room from the generalobservation of persons in said room, provided, however, that partitions, subdivisions or panels not higher than fifty-four (54) inches from the floor shall not be construed as in conflict with the foregoing, and providing further, that nothing contained herein shall prohibit the sale of alcoholic liquors as permitted by law and within the scope of the license for any such place of business, in any private dining or banquet room connected with and a part of such place of business where not less than six persons are so served.

Section 8. Public Consumption of Alcoholic Liquor. It shall be unlawful to drink or consume any alcoholic liquor in or upon any public places in the city ofBend, unless such public place is solicensed.

Section 9. Public Dance Halls. It shall be unlawful for any persons to keep, possess, sell, give away, or otherwise dispose of or consume any alcoholic liquor in any public dance hall, or in any room or building used for public dancing, provided that all restaurants and hotels shall be exempt from the provisions hereof, when no charge is made for such dancing privilege.

Section 10. Nuisances . Any rooming house, building, structure, or place of any kind in the city where alcoholic liquor is sold, manufactured, bartered, or given away in violation of this ordinance, or in violation of the laws of the State of Oregon or United States of America, is hereby declared to be a common nuisance, and any person who maintains or assists in maintaining such common nuisance shall be guilty of a violation of this ordinance,and if it shall be proven that the owner of any building or premises knowingly has suffered the same to be used or occupied for the manufacture, sale, or possession of alcoholic beverages, contrary to the provisions of this ordinance, such building or premises shall be subject to a fine for and may be sold to pay all fines and costs assessed against the occupant of such building or premises for any violation of this ordinance, and such lien shall be enforced immediately by civil action in any court having jurisdiction, by the City Attorney. The Commission may instruct the City Attorney to commence such appropriate proceedings as are authorized by the laws of the State of Oregon to abate or to temporarily enjoin such nuisance.

Section 11. Age Limit of Purchasers. No alcoholic liquor as herein defined shall be sold, served, or given to any intoxicated person or to any person under the age of 21 years, or to any Indian, and it shall be unlawful for any person other than a parent, guardian, or other responsible relative to give any alcoholic liquor to any person under the age of 21 years, and it shall be unlawful for any person to misrepresent, by statements or actions, his or her age, or the age of another to induce any licensee to sell liquor to any person under the age of 21 years.

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Section 12. Limiting the Number of Licensees. There shall not be recommended by the Commission to the OregonLiquor Control Commission more than 24 applications for retail beer licenses. PROVIDED however that in the event the number of such places now licensed exceeds that which may be permitted under the provisions of this section, such licenses may be continued and renewed so long as the present owners continue to operate the same and fully comply with all of the ordinances and the City Charter.

Section 13. Advertising Unlawful. It shall be unlawful to display kegs, or other containers used for containing alcoholic liquors, whether empty or not, on any side walk, street or alley, within the City of Bend.

Section 14. It shall be unlawful for any licensee holding a license for the sale of alcoholic liquor,or any employee thereof, while onduty, to consume alcoholic liquor upon the premises where employed, or to be under the influence of liquor, while on duty.

Section 15. Repeal of Conflicting Ordinances. That Ordinance N. S. 195 and all other ordinances and parts of ordinances in conflict herewith, are hereby repealed.

Section 16. Penalties. Any person violating any of the provisions of this ordinance shall, uponconviction thereof in the municipal court be punished by a fine of not to exceed $200.00 or by imprisonment in the city jail for a period not exceeding 100 days, or by both such fine and imprisonment. The Police Department shall keep a complete record of all the complaints and the termination thereof brought under this ordinance.

Section 17. Saving Clause. If any section, subsection, provision, clause or paragraph of this ordinance, shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment should not affect the validity of the remaining portions of this ordinance, and it hereby is expressly declared that every other section, subdivision, paragraph, provision or clause of this ordinance would have been enacted, irrespective of the enactment or validity of the portion hereof declared or adjudged to be unconstitutional or invalid.

Section 18. Emergency Clause. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: That it is necessary to provide a means whereby the municipal court shall have jurisdiction over violations of the laws relating to the control of the alcoholic liquor traffic, and further provide additional regulations necessary for proper control of said alcoholic liquor traffic within the city of Bend, it is deemed necessary that an emergency be, and the same hereby is, declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time March 7, 1934.

Read for the second time March 21, 1934.

Put upon its passage April 4, 1934.

Submitted to and approved by the Mayor this 4th day of April , 1934.

Yeas 3

Nays 0

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 198.

An Ordinance vacating Idaho Avenue lying between Bond and Wall Streets in the City of Bend, Deschutes County, Oregon, and declaring an emergency.

WHEREAS, the owners of all lots and parcels of land located or adjacent to Idaho Avenue as lies between Bond and Wall Streets in Bend, Deschutes County, Oregon, did file in the office of the Recorder of the City of Bend a petition praying for the vacation of the said Idaho Avenue lying between Bond and Wall Streets, and

WHEREAS, said petition was filed with the City Recorder on the 20th day of February, 1934, and

WHEREAS, the said petition was considered by the Commissioners on Wednesday, the 21st day of February, 1934, at a meeting held at said time, and no reason manifestly existing why said petition should not be allowed, and upon motion, duly seconded and carried, Wednesday, the 4th day of April, 1934, at the hour of 8 o'clock P.M. in the Commissioners' chambers in the City Hall (Baird Building) Bend, Oregon, was the time and place fixed for a formal hearing on said petition, and

WHEREAS, in accordance with said motion the City Recorder did on the 23rd day of February, 1934, duly post a notice of street vacation at each end of the street proposed to be vacated, to-wit: On Idaho Avenue at the intersection of Bond Street and Idaho Avenue at the intersection of Wall Street, both in Bend, Oregon, and that said notices were duly posted by nailing the same to a telephone post at said locations, and that said notice was likewise duly published for four consecutive weeks in The Bend Bulletin, the first publication being the 23rd day of February, 1934, and the last publication being the 16th day of March, 1934, and that a copy of said notice as published and posted is duly on file in these proceedings together with the affidavit of such posting and publications, and

WHEREAS, it appears that thepetitioners are the owners of all the real property adjacent to and immediately adjoining the said Idaho Avenue between Bond and Wall Streets, and are the only parties affected by the vacation of any portion of said Street, and

WHEREAS, upon the hearing of said petition by the Commissioners of the City of Bend as set forth in said notice of street vacation no objectionwas interposed to the vacation of said street, and at this time no reason is apparent why the said petition should not be granted and the said street vacated, now therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Idaho Avenue between Bond and Wall Streets, Bend, Oregon, be, and the same hereby is vacated and that all portions of said street lying between Bond and Wall Streets in all respects from and after the passage of this Ordinance shall be considered, and is private property, being the property of the adjacent owners, as made operative by State law, and that henceforth the said Street shall in no way be a public thoroughfare.

Section 2. Inasmuch as the vacation of Idaho Avenue between Bond and Wall Streets is made necessary for the purpose of permitting the space to be used as a playground for the children in the schools located on either side thereof, and for a foot passageway for said children and for the protection of the said children from vehicular traffic of all kinds, an emergency is hereby declared to exist an d this Ordinance shall be in full force and effect from and after its passage by the Commission and its approval by the Mayor.

Read for the first time April 4, 1934.

Read for the second time April 18, 1934.

Put upon it's passage April 18, 1934.

Yeas 3

Nays 0

2RBGd

Submitted to and approved by the Mayor this 18th day of April, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 199.

An Ordinance to Amend Section 3 of Ordinance N.S. 188.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 3 of Ordinance N.S. 188 be and the same is, hereby amended to read as follows:-

Section 3. After favorable action by the City Manager upon said application, the license provided herein 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, to-wit:-

For the installation, alteration, repair and maintenance of plumbing and drainage systems, sewers, septic tanks and cess pools, for a period of one year, the sum of----------$40.00

For the installation, alteration, repair and maintenance of sewers, septic tanks and cess pools, for a period of one year, the sum of----------$12.50

and no license shall be issued for a period of less than one year.

Read for the first time, April 7, 1934.

Read for the second time, April 18, 1934.

Put upon its passage April 18, 1934.

Yeas 3

Nays 0

Submitted to and aopproved by the Mayor this 18th day of April, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 202.

An ordinance to tax, and to license,regulate and control the sale of, traffic in and use of, alcoholic liquors within the City of Bend, Oregon; to provide penalties for the violations thereof, repealing all ordinances in conflict therewith, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The term "Alcoholic liquors" wherever used in this ordinance shall be understood to include all liquors authorized to be sold under the Oregon Liquor Control Act up to and not exceeding fourteen percent of alcohol by volume.

Section 2. The term "wholesaler" wherever used in this ordinance shall be understood to apoly to persons, of either sex, corporations, associations and co-partnerships handling and disposing of alcoholic liquors authorized to be sold under the Oregon Liquor Control Act, up to and including fourteen per cent alcoholic content by volume, in qua tities of not less than five (5) wine gallons.

Section 3. Each and every person applying for a wholesalers permit or license shall have been a resident of the City of Bend, Oregon, for one year previous to making application, and shall have conducted a bonafide business within the City of Bend during that period.

Section 4. The application for a permit to conduct a wholesale business under the terms of this ordinance shall set forth the foregoing facts in a written application; each application for a wholesalers license shall be accompanied bya semi-annual license fee of $25.00 payable in advance, and said license expiring as of June 30th and December 31 st of each year.

Section 5. A "retail dealer" as defined in this ordinance shall be understood to apply to persons, of either sex, corporations, associations and co-partnerships handling and disposing of alcoholic liquors authorized to be sold under the Oregon Liquor Control Act up to and including 14 percent alcoholic content by volume and in quantities of not more than 5 wine gallons. The said retail dealer shall be of two classes, as follows:

Class A. Those selling said alcoholic liquors in unbroken packages and not to be drunk on the premises, and

Class B. Those selling said alcoholic liquors in broken packages and which may, or may not, be consumed on the premises, and the license fees to be paid by the said retail dealer shall be as follows:

Class A, as above defined, $10.00 per year, payable semi-annually in advance.

Class B, as above defined, $25.00 per year, payable semi-annually in advance. Both of said classes of licenses shall expire on June 30th and December 31st of each year.

Section 6. In addition to the license fee provided for in Section 4 of this ordinance, every wholesale dealer shall pay a tax on all alcoholic liquors sold as follows:

$1.20 on each 31 gallon barrel.
$0.60 on each half barrel
$0.30 on each quarter barrel -- 15¢ on 1/8 bbl.
One cent on each quart bottle or fraction thereof and one-half cent on each pint bottleor fraction thereof in original containers, boxes or cartons.

Section 7. It shall be unlawful for any wholesale dealer, as herein defined to sell to any person within the City of Bend any alcoholic liquor unless such wholesale dealer shall have first affixed to each original package, or barrel, containing such liquor before the same is delivered, the tax stamp as in this ordinance provided and it shall be unlawful for any retail dealer as herein defined to sell or display any alcoholic liquor as herein defined unless the package or barrel containing such liquor shall have affixed thereto the tax stamps hereinbefore provided for, and any licensee holding a license issued by the Oregon Liquor Control Commission conducting a liquor business within the limits of herein provided for, found to have in his possession;offering for sale, or selling any unstamped package of liquor shall be deemed guilty of a violation of this ordinance and subjected to the penalties herein provided for.

Section 8. That the City Recorder of the City of Bend shall cause to be printed the stamps as hereinbefore provided for and shall continuously keep the same for sale in his office, but that said stamps shall be sold to no person, corporation, association or co-partnership other than a licensed wholesale dealer as herein defined.

Section 9. That no licensee holding a license hereunder for the sale of or disposal of alcoholic liquor not over 14 percent of alcohol by volume shall directly, or indirectly sell, give away, dispose of, deliver, solicit the sale of or otherwise dispose of any alcoholic liquor on his premises during the time the polls are open on the day of any general, special or primary election of the State, County or the City of Bend, or between the hours of 1 o'clock A.M. and 7 o'clock A.M. of any day.

Section 10. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the Municipal Court, be punished by a fine of not to exceed $200.00 or by imprisonment in the City Jail for a period not exceeding 100 days, or by both such fine and

imprisonment, and thathe have his license cancelled as in the discretion of the municipal judge.

Section 11. If any section, sub-section, provision, clause or paragraph of this ordinance shall be adjudged or declared by any Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect the validity of the remaining portions of this ordinance, and it hereby expressly declared that every other section, subdivision, paragraph, provisionor clause of this ordinance would have been enacted, irrespective of the enactment of validity of the portion hereof declared or adjudged to be unconstitutional or invalid.

Section 12. In as much asthis ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: That it is necessary in order to provide a means by which certain lines of business may be licensed and proper license fees set and established therefor, and to regulate the sale and disposal of alcoholic liquor and to providea means by which election days may be more quiet it is deemed necessary that an emergency be, and the same hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the mayor.

Read for the first time July 6, 1934.

Read for the second time July 18, 1934.

Put upon its passage July 18, 1934.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 30th day of July, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 203.

An Ordinance to provide for the issuance of the City of Bend, Oregon, refunding Bancroft Bonds in the principal sum of $34,500; prescribing the form of said bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature August 1, 1934, and declaring an emergency.

WHEREAS on August 2, 1924, pursuant to Ordinance No. 236 passed by the Council'and approved by the Mayor of the City of Bend on the 2nd day of August, 1924 as authorized by the charter of said City of Bend adopted Nov. 22, 1911, the said City of Bend issued $34,210.40 of Bancroft Bonds of the City of Bend, Oregon, 1924, and which said bonds were in denominations of $500.00 each and were numbered consecutively for 222 to 330 inclusive, bearing interest at the rate of 6 per cent per annum, payable semi-annually on the 1st day of February and August of each and every year, and which said bonds ran for a period of 10 years from said date,and of which $34,500.00 will mature August 1, 1934, and on which said date will be due and payable and

WHEREAS, there are no funds on hand in the treasury of said City of Bend to apply in payment of the principal of any of said bonds, THEREFORE?

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That there be issued $34,500.00 of refunding bonds of the City of Bend, by virtue of this ordinance and as authorized by Chapter 156, Oregon Laws, 1933, for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the first day of August 1924, and which said bonds will become due and payable on the 1st day of August, 1934; the said refunding bonds shall be in the denomination of $500.00 each; shall be dated August 1, 1934; shall mature in installments of $1500.00 each of the years 1935, 1936, 1937 and 1938, $1,000.00 each of the years 1939, 1940, 1941, 1942,1943 and 1944, $5,000.00 of the year 1945, $6,000.00 each of the years 1946 and 1947 and $5,500.00

of the year 1948, and bear interest at the rate of 5% per annum, payable semi-annually in February and August of each year. The said bonds shall be signed by the Mayor and City Recorder, and the coupons attached thereto shall bear the facsimile signature of said officers. The principal of and the interest of such bonds shall be payable at the office of the City Treasurer of the City of Bend, and the bonds shall be numbered 1 to 69 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promise to pay to the bearer the sum of Five Hundred Dollars on the 1st day of August,19--. with interest thereon at the rate of five per cent per annum, payable semi-annually, upon presentation and surrender of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer of Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $34,500.00 of such bonds for the purpose of refunding a like amount of Bancroft bonds of said City due August 1, 1934, which were issued by virtue and in pursuance of Ordinance No. 236 duly passed by the Council and approved by the Mayor on the 2nd day of August, 1924, and it is hereby certified that every requirement of the constitution and laws of the State of Oregon has been duly complied with in the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by the charter of said town.

IN WITNESS WHEREOF, the City of Bend, Oregon, has caused this bond to be signed by its mayor and countersigned by its Recorder under the corporate seal of said City and the interest Coupons attached hereto to bear the engraved facsimile signature of said Mayor and Recorder, all as of the first day of August, 1934.

J. F. Hosch
Mayor

Countersigned,

L. G. McReynolds
Recorder.

COUPON

No._____ $12.50

On the___day of_____, 193___the City of Bend, Oregon will pay to bearer

Twelve and 50/100----------Dollars

At the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft bond.

Dated this 1st day of August, 1934.

L. G. McReynolds,
Recorder.

J. F. Hosch,
Mayor.

Sec. 2 That the Commissioners of the City of Bend levy a tax or provide other funds by law in 1935 and each year thereafter to and including the year 1948 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1935	$1500.00	$1725.00
1936	1500.00	1650.00
1937	1500.00	1575.00
1938	1500.00	1500.00
1939	1000.00	1425.00
1940	1000.00	1375.00
1941	1000.00	1325.00
1942	1000.00	1275.00
1943	1000.00	1225.00
1944	1000.00	1175.00
1945	5000.00	1125.00
1946	6000.00	875.00
1947	6000.00	575.00
1948	5500.00	275.00

2RBGd

Sec. 3. The Recorder is hereby authorized and instructed to advertise said bonds for sale at a special meeting of the Commissioners to be held on the_____day of_____,1934, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a newspaper of general circulation published in Bend, Deschutes County, Oregon, said notice to provide that the Bonds shall bear interest at the rate of five per cent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said Bonds and that the Commission reserves the right to reject any or all bids, or to sell all or any part of the bonds.

Sec. 4. In the event that the Commission does not receive a satisfactory bid, or bids, for said refunding bonds, the Mayor and Recorder shall, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft bonds maturing August 1, 1934 pursuant to agreements entered into between the said Mayor and Recorder acting in behalf of said City of Bend and the holders of the said outstanding Bancroft Bonds.

Sec. 5. WHEREAS, it is essential that the outstanding Bancroft Bonds of the City of Bend which will mature August 1, 1934, be refunded, redeemed and retired on their due date without delay through sale of the aforesaid refunding bonds, or through exchange thereof for the matured bonds, and it is therefore necessary for the peace, health, safety and credit of the City of Bend, Oregon, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time July 6th, 1934.

Read for the second time July 18th, 1934.

Put upon its passage July 18th, 1934.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 18th day of July, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 204.

An Ordinance providing for a City Planning Commission, adopting all State laws now in effect relating thereto and adopting and making a part of this ordinance all laws hereafter enacted by the State of Oregon, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The Mayor of the City of Bend is hereby authorized to appoint a City Planning Commission in accordance with the laws of the State of Oregon.

Section 2. State Law Adopted: The provisions of Chapter XVI, being Sections 56-1601 to 56-1611, both sections inclusive, Oregon Code, and also all acts amendatory thereof and supplementary thereto, relating to the appointment, creation and governing of a City Planning Commission, are hereby adopted by this Ordinance in all the provisions thereof and as fully and completely as if the said laws were re-copied herein.

Section 3. In as much as this ordinance is necessary for the immediate preservation of the public health , peace and safety of the City of Bend, in this: In order that the people of the City of Bend may have the services of and the benefits derived, or to be derived, through the appointment and operation ofa City Planning Commission

as provided for by the laws of the State of Oregon, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time August 30, 1934.

Read for the second time September 19, 1934.

Put upon its passage September 19, 1934.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 19th day of September, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINA CE (N.S.) 205.

An Ordinance granting the right, privilege and franchise unto Consumers Gas Corporation, its successors and assigns, to lay, construct and extend, and thereafter to operate and maintain, repair and/or replace a system of conduits and pipe lines, together with such fixtures or appurtenances as the grantee, its successors or assigns, may deem necessary or convenient in connection therewith in, under, along, or across all public streets, highways and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and/or distributing gas to the public for light, heat, fuel, power or any other lawful purpose, for a term of twenty (20) years.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The right, privilege and franchise to lay, construct, and extend and to thereafter operate and maintain, repair and/or replace a system of conduits and pipe lines, together with such fixtures and appurtenances as the grantee, its successors or assigns, may deem necessary or convenient in connection therewith, in, under, along or across all public streets, highways, and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and/or distributing gas to the public for light, heat, fuel, power or any other lawful purpose, for the term of twenty (20) years from and after the effective date of this ordinance, are hereby granted to Consumers Gas Corporation, its successors, and, or assigns.

Section 2. Whenever it may be necessary or convenient in the operation or maintenance of the municipally owned water system to construct, reconstruct, or replace any of the property of any of the said municipally owned water system, and such construction, reconstruction, or replacement renders necessary the removal, readjustment, relocation or change of any of the conduits, pipes, or other facilities, or appliances of said grantee, then and in such event said removal, readjustment, relocationor change of property of said grantee shall be done by and at the sole expense of the grantee, its successors or assigns.

Section 3. That nothing in this ordinance shall be deemed or construed to limit the power of the proper authorities of said City of Bend to prosecute and maintain public improvements, and whenever in the prosecution or maintenance of such improvements it becomes necessary or convenient to remove, readjust, relocate or change any of the grantees pipes, conduits, or other facilities or appliances located in the public streets, highways and/or alleys, the same shall be done by and at the sole expense of the grantee, its successors or assigns.

Section 4. That the grantee by its acceptance of this ordinance and franchise rights, privileges and authority hereby granted, for itself, its successors and/or assigns, covenants and agrees to and with the City of Bend at all times to protect and save harmless the said City

from all claims, actions, suits, liability, loss, cost, expense or damage of every kind and description which may accrue and/or be suffered by any person or persons arising out of the neglect of the grantee in the erection, construction, reconstruction, relocation, replacement, readjustment, maintenance, operation, extension, repair or the use of the conduits, pipes and other facilities and appliances solely owned and operated by said grantee, its successors or assigns.

Section 5. Whenever the said Consumers Gas Corporation its successors or assigns, shall disturb any of the streets, alleys, avenues, roads, highways, thoroughfares, parking, bridges and/or sidewalks in said City, for the purposes aforesaid, it or they shall restore the same to good order and condition as soon as practicable and without unnecessary delay; and particularly any excavation or part of excavation made for the purpose of laying pipes or other apparatus or repair of same under this franchise in what is commonly known as the main business streets of said City of Bend, shall be permitted to remain open no longer than five (5) days after the excavation is made, except upon the written consent of the City Manager.

Section 6. All gas pipes shall be laid so that the top of the said pipes shall be at a depth of not less than twenty (20) inches below the established or official grade of the street, alley or other public thoroughfare aforesaid, except where heavy rock is encountered, when in such instances said pipe may be laid at a lesser depth with the consent of the City Engineer; provided, however, that in cases where grades have not been established, however, such pipes shall be laid at a depth of not less than thirty (30) inches below the existing surface of such street, alley or other public thoroughfare aforesaid, except where, on account of heavy rock excavation, the said Engineer consents to a lesser depth, and provided further that the Commission of said City hereby reserves the right to change or establish the grade of any of its streets, alleys, or public thoroughfares aforesaid, and to require the grantee of said franchise, its successors or assigns, to relay any of its pipes so as to conform to the same.

Section 7. Nothing in this ordinance shall be construed as granting an exclusive franchise or privilege for the use of any street, alley, avenue or public highway or any part thereof, provided however, that the City or any public utility in the construction of any water mains or other facilities shall have due regard to the existence of the mains and pipes of the grantee, and wherever possible shall locate and lay such water mains and facilities so as not to obstruct or interfere with the existing mains, pipes and conduits of said grantee.

Section 8. The grantee of this franchise shall, prior to commencing construction work on the extension of any main pipe line in excess of one hundred (100) feet, file with the City Manager a map showing the size and location of all such pipes and extensions and the same must be approved by said City Manager before said construction work may be commenced.

Section 9. The grantee herein, for itself, its successors and assigns, covenants and agrees with the City of Bend, Oregon, a municipal corporation, that in consideration of the granting to it of the rights, privileges embraced in this ordinance, it will pay to the City of Bend, Oregon, one percent (1%) of the gross revenues derived from the operation of its distribution system and from services rendered to its patrons now or hereafter located within the City of Bend, Oregon, during the year 1934, and beginning with the first day of January, 1935, and continuing during the life of this franchise, the said grantee, for itself, its successors and assigns, covenants and agrees with the City of Bend, Oregon, a municipal corporation, that in consideration of the granting to it of the rights and privileges embraced in this ordinance, it will pay to the City of Bend, Oregon, two percent (2%) of the gross annual revenues derived from services to its patrons now or hereafter located within the City of Bend, Oregon, such percentage to be paid in annual installments not less than sixty (60) days after the end of each calendar year and that it will furnish to the City of Bend, Oregon, at the end of each calendar year, a verified statement of its said gross earnings and that it will permit the inspection of its books at reasonable hours upon the demand of the Commission of the City of Bend, Oregon.

Section 10. In further consideration of this franchise, the grantee will with its acceptance, file with the City of Bend, Oregon, a surety bond in the amount of One Thousand Dollars ($1000.00), conditioned upon the faithful performance of the terms and conditions

of this ordinance, during the period of its existence.

Section 11. Within thirty (30) days after the passage of this ordinance, Consumers Gas Corporation shall file with the City Recorder of the City of Bend, Oregon, its written consent and acceptance to the terms of this ordinance; provided however, that if such consent and acceptance is not so filed, this ordinance shall be of noforce and effect and this franchise will be deemed forfeited.

Read for the first time April 18th, 1934.

Read for the second time September 19, 1934.

Yeas 3

Nays 0

Absent:

Submitted to and approved by the Mayor, this 19th day of September, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 206.

An Ordinance to provide for the issuance of the City of Bend, Oregon, refunding Bancroft Bonds in the principal sum of $22,000.00; prescribing the form of said bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature December 15, 1934, and declaring an emergency.

WHEREAS, on December 22nd, 1924, pursuant to Ordinance No. 246 passed by the Council and approved by the Mayor of the City of Bend on the 22nd day of December, 1924, as authorized by the Charter of said City of Bend adopted November 22nd, 1911, the said City of Bend issued $55,080.00 of Bancroft Bonds of the City of Bend, Oregon, 1924, and which said bonds were in denominations of $500.00 each and were numbered consecutively from 331 to 441 inclusive bearing interest at the rate of 6 per cent per annum, payable semi-annually on the 15th day of June and December of each and every year, and which said bonds ran for a period of 10 years from said date, and of which $22,000.00 will mature December 15th, 1934, and on which said date will be due and payable, and

WHEREAS, There are no funds on hand in the treasury of said City of Bend to apply in payment of the principal of any of said bonds, THEREFORE,

THE CITY OF BEND DOES OR DAIN AS FOLLOWS:

Section 1. That there be issued $22,000.00 of refunding bonds of the City of Bend, by virtue of this ordinance and as authorized by Chapter 156, Oregon Laws, 1933, for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the fifteenth day of December, 1924, and which said bonds will become due and payable on the fifteenth day of December, 1934; the said refunding bonds shall be in the denomination of $500.00 each; shall be dated December 15, 1934; shall mature in installments of $1,000.00 each of the years 1935, 1936, 1937, 1938, 1939, and 1940; $2,000.00 each of the years 1941, 1942, 1943, 1944: and $4,000.00 each of the years 1945 and 1946, and bear interest at the rate of 5% per annum, payable semi-annually in June and December of each year. The said bonds shall be signed by the Mayor and City Recorder and the coupons attached thereto shall bear the facsimile signature of said officers. The principal of and the interest on such bonds shall be payable at the office of the City Treasurer of the City of Bend, Oregon, and the bonds shall be numbered 1 to 44 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promise to pay to the bearer the sum of Five Hundred Dollars on the 15th day of December, 19--with interest thereon at the rate of five per cent per annum, payable semi-annually, upon presentiation and surrender of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer in Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $22,000.00 of such bonds for the purpose of refunding a like amount of Bancroft bonds of said City due December 15th, 1934, which were issued by virtue and in pursuance of Ordinance No. 246 duly passed by the Council and approved by the Mayor on the 22nd day of December, 1924, and it is hereby certified that every requirement of the constitution and laws of the State of Oregon has been duly complied with in the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by thecharter of said town.

IN WITNESS WHEREOF, the Cityof Bend, Oregon has caused this bond to be signed by its Mayor and countersigned by its Recorder under the corporate seal of said City and the interest Coupons attached hereto to bear the engraved facsimile signature of said Mayor and Recorder, all as of the fifteenth day of December, 1934.

J. F. Hosch
Mayor

COUNTERSIGNED:

L. G. McReynolds
Recorder.

COUPON

No.***** $12.50

On the_____day of_____,193__ the City of Bend, Oregon will pay to bearer

Twelve and 50/100----Dollars

At the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft Bond.

Dated this 15th dayof December, 1934.

L. G. McReynolds,
Recorder.

J. F. Hosch
Mayor.

Section 2. That the Commissioners of the City of Bend levy a tax or provide other funds by law in 1935 and each year thereafter to and including the year 1946 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1935	$1,000.00	$1100.00
1936	1,000.00	1050.00
1937	1,000.00	1000.00
1938	1,000.00	950.00
1939	1,000.00	900.00
1940	1,000.00	850.00
1941	2,000.00	800.00
1942	2,000.00	700.00
1943	2,000.00	600.00
1944	2,000.00	500.00
1945	4,000.00	400.00
1946	4,000.00	200.00

Section 3. The Recorder is hereby authorized and instructed to advertise said bonds for sale at a special meeting of the Commissioners to be held on the 14th day of December, 1934, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a newspaper of general circulation published in

Bend, Deschutes County, Oregon, said notice to provide that the Bonds shall bear interest at the rate of five per cent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said bonds and that the Commission reserves the right to reject any or all bids, or to sell all or any part of the bonds.

Section 4. In the event that the Commission does not receive a satisfactory bid, or bids, for said refunding bonds, the Mayor and Recorder shall, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft Bonds maturing Decmeber 15, 1934 pursuant to agreements entered into between the said Mayor and Recorder acting in behalf of said City of Bend and the holders of the said outstanding Bancroft Bonds.

Section 5. WHEREAS, it is essential that the outstanding Bancroft Bonds of the City of Bend, which will mature December 15th, 1934, be refunded, redeemed and retired on their due date without delay through sale of the aforesaid refunding bonds, or through exchange thereof for the matured bonds, and it is therefore necessary for the peace, health, safety and credit of the City of Bend, Oregon, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time November 7th, 1934.

Read for the second time November 21st, 1934.

Put upon its passage November 21st, 1934.

Yeas 3

Nays 0

Submitted toand approved by the Mayor this 21st day of November, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 207.

An Ordinance vacating the alley extending through Block 2, of North Addition to Bend, Oregon, said alley extending by lots 1 to 5 on the west and Lot 6 on the east, in said block.

WHEREAS, the owners of all lots and parcels of land located or adjacent to the alley extending through Block 2 of North Addition to Bend, Oregon--said alley extending by lots 1 to 5 on the west and Lot 6 on the east, in said block, all in Bend, Deschutes County, Oregon, did file in the office of the Recorder of the City of Bend, Oregon, a petition praying for the vacation of the said alley as above described, and

WHEREAS, said petition was filed with the City Recorder on the 3rd day of October, 1934, and

WHEREAS, the said petition was considered by the Commissioners on Wednesday, the 3rd day of October, 1934, at a meeting held at said time, and no reason manifestly existing why said petition should not be allowed, and upon motion, duly seconded and carried, Wedneday the 7th day of November, 1934, at the hour of 8 O'clock P.M. in the Commissioners Chambers in the City Hall (Baird Building) Bend, Oregon, was the time and place fixed for a formal hearing on said petition, and

WHEREAS, in accordance with said motion the City Recorder on the 4th day of October, 1934, duly posted a notice of the proposed vacation of the said alley at each end thereof, to-wit: on the said alley at the south end thereof and on the said alley on the north end thereof and and that the said notices were duly posted by tacking the same to a post for four consecutive weeks at said locations, and that said notices were likewise duly published for four consecutive weeks in The Bend

Bulletin, the first publication being the 4th day of October, 1934, and that a copy of said notice as published and posted is duly on file in this proceeding together with the affidavit of such posting and publication, and

WHEREAS, it appears that the petitioners are the owners of all the real property adjacent to and immediately adjoining the said alley and are the only parties affected by the vacation of said alley, or any portion thereof, and

WHEREAS, upon thehearing of said petition by the Commissioners of the City of Bend, Oregon, as set forth in said notice of vacation no objection was interposed to the vacation of said alley, and at this time no reason why the said petition should not be granted and the said alley vacated, appears, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the alley extending through Block 2 of North Addition to Bend, Oregon, said alley extending by lots 1 to 5 on the west and lot 6 on the east, in said block, be and the same hereby is vacated and that all portions of said alley lying in or extending through Block 2 of North Addition to Bend, Oregon, in all respects , from and after the passage of this ordinance shall be considered, and is private property, being the property of the adjacent owners, as made operative by State Law, and thathenceforth the said alley shall in no way be a public thoroughfare.

Read for the first time November 7, 1934.

Read for the second time November 21, 1934.

Put upon its passage November 21, 1934.

Ayes 3

Nays 0

Submitted to and approved by the Mayor November 21, 1934.

J. F. Hosch
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 208.

An Ordinance granting the right, privilege and franchise unto Consumers Gas Corporation, its successors and assigns, to lay, construct and extend, and thereafter to operate and maintain, repair and/or replace a system of conduits and pipe lines, together with such fixtures or appurtenances as the grantee, its successors or assigns, may deem necessary or convenient in connection therewith in, under, along, or across all public streets, highways and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and/or distributing Gas to the public for light, heat, fuel, power or any other lawful purpose, for a term of twenty (20) years.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The right, privilege and franchise to lay, construct and extend and to thereafter operate and maintain, repair and/or replace a system of conduits and pipelines, together with such fixtures and appurtenances as the grantee, its successors or assigns, may deem necessary or convenient in connection therewith, in, under along or across all public streets, highways, and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and/or distributing gas to the public for light, heat, fuel, power or any other lawful purpose, for the term of twenty (20) years from and after the effective date of this ordinance, are hereby granted to Consumers Gas Corporation, its successors or assigns.

Section 2. Whenever it may be necessary or convenient in the operation or maintenance of the municipally owned water system to construct, reconstruct, or replace any of the property of any of the said municipally owned water system, and such construction, reconstruction, or replacement renders necessary the removal, readjustment, relocationor change of any of the conduits, pipes, or other facilities, or appliances, of said grantee, then and in such event said removal, readjustment, relocation or change of property of said grantee shall be done by and at the sole expense of the grantee, its successors or assigns.

Section 3. That nothing in this ordinance shall be deemed or construed to limit the power of the proper authorities of said City of Bend to prosecute and maintain public improvements, and whenever in the prosecution or maintenance of such improvements it becomes necessaryor convenient to remove, readjust, relocate or change any of the grantees pipes, conduits, or other facilities or appliances located in the public streets, highways and/or alleys, the same shall be done by and at the sole expense of the grantee, its successors or assigns.

Section 4. That the grantee by its acceptance of this ordinance and franchise rights, privileges and authority hereby granted, for itself, its successors and/or assigns, covenants and agrees to and with the City of Bend at all times to protect and save harmless the said city from all claims, actions, suits, liability, loss, cost, expense or damage of every kind and description which may accrue and/or be suffered by any person or persons arising out of the neglect of the grantee in the erection, construction, reconstruction, relocation, replacement, readjustment, maintenance, operation, extension, repair or the use of the conduits, pipes and other facilities and appliances solely owned and operated by said grantee, its successors or assigns; and further, to at all times, maintain any streets, alleys, pavement, walks, or other public ways including street curbes, where the same have been disturbed in any manner by reason of any construction work or repairs by grantee herein.

Section 5. Whenever the said Consumers Gas Corporation, its successors or assigns, shall disturb any of the streets, alleys, avenues, roads, highways, thoroughfares, parking, bridges and/or all sidewalks in said city, for the purposes aforesaid, it or they shall restore the same to good order and condition as soon as they shall restore the same to good or der and condition as soon as practicable and without unnecessary delay; and particularly any excavation or part of excavation made for the purpose of laying pipes or other apparatus or repair of same under this franchise in what is commonly known as the main business streets of said City of Bend, shall be permitted to remain open no longer than five (5) days after the excavation is made, except upon the written consent of the City Manager.

Section 6. All gas pipes shall be laid so that the top of the said pipes shall be at a depth of not less than twenty (20) inches below the established or official grade of the street, alley or other public thoroughfare aforesaid, except where heavy rock is encountered, when in such instances said pipe may be laid at a lesser depth with the consent of the City Manager; provided, however, that in cases where grades have not been established, such pipes shall be laid at a depth of not less than thirty (30) inches below the existing surface of such street, alley or other public thoroughfare aforesaid, except where, on account of heavy rock excavation, the said Engineer consents to a lesser depth, and provided further that the Commission of said City hereby reserves the right to change or establish the grade of any of its streets, alleys, or public thoroughfares aforesaid, and to require the grantee of said franchise, its successors or assigns, to relay any of its pipes so as to conform to the same.

Section 7. Nothing in this ordinance shall be construed as granting an exclusive franchise or privilege for the use of any street, alley, avenue or public highway or any part thereof, provided, however, that the city or any public utility in the construction of any water mains or other facilities shall have due regard to the existence of the mains and pipes of the grantee, and wherever possible shall locate and lay such water mains and facilities so as not to obstruct or interfere with the existing mains, pipes and conduits of said grantee.

Section 8. The grantee of this franchise shall, prior to commencing construction work on the extension of any main pipe line, file with the City Manager a map showing the size and location of all such pipes and extensions and the same must be approved by said City Manager before said construction work may be commenced.

Section 9. The grantee herein, for itself, its successors and assigns covenants and agrees with the City of Bend, Oregon, a municipal corporation, that in consideration of the granting to it of the rights and privileges embraced in this ordinance, it will pay to the City of Bend, Oregon, one per cent (1%) of the gross revenues derived from the operation of its distribution system and from services rendered to its patrons now or hereafter located within the City of Bend, Oregon, to and including the year 1939, and beginning with the first day of January, 1940, and continuing during the life of this franchise, the said grantee, for itself, its successors and assigns, covenants and agrees with the City of Bend, Oregon, a municipal corporation, that in consideration of the granting to it of the rights and privileges embraced in this ordinance, it will pay to the City of Bend, Oregon two per cent (2%) of the gross annual revenue derived from services to its patrons now or hereafter located within the City of Bend, Oregon, such percentage to be paid in annual installments not less than sixty (60) days after the end of each calendar year and that it will furnish to the City of Bend, Oregon, at the end of each calendar year, a verified statement of its said gross earnings and that it will permit the inspection of its books at reasonable hours upon the demand of the Commission of the City of Bend, Oregon.

Section 10. In further consideration of this franchise the grantee will with its acceptance, file with the City of Bend, Oregon, a satisfactory bond in the amount of One Thousand Dollars ($1,000.00) conditioned upon the faithful performance of the terms and conditions of this ordinance, during the period of its existence. Such bond to extend for one year, and to be renewed annually and a failure to renew said bond annually shall operate as a termination and cancellation of this franchise.

Section 11. Within thirty (30) days after the passage of this ordinance, Consumers Gas Corporation shall file with the City Recorder of the City of Bend, Oregon, its written consent and acceptance to the terms of this ordinance; provided, however, that if such consent and acceptance is not so filed, this ordinance shall be of no force and effect and this franchise will be deemed forfeited.

Read for the first time January 2, 1935.

Read for the second time January 16, 1935.

Yeas 3

Nays 0

Absent: None

Submitted to and approved by the Mayor, this 16th day of January, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 209.

An Ordinance to provide for the issuance of the City of Bend, Oregon, refunding Bancroft Bonds in the principal sum of $15,500.00; prescribing the form of said bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature April 1, 1935, and declaring an emergency.

WHEREAS, on April 4th, 1925, pursuant to Ordinance No. 250 passed by the Council and approved by the Mayor of the City of Bend on the 4th of April, 1925, as authorized by the Charter of said City of Bend adopted November 22nd, 1911, the said City of Bend issued $35,025.19 of Bancroft Bonds of the City of Bend, Oregon, 1925, and which said bonds were in denominations of $500.00 each and were numbered consecutively from 442 to 512 inclusive bearing interest at the rate of 6 per cent per annum, payable semi-annually on the 1st day of April and October of each and every year, and which said bonds ran for a period of 10 years from said date, and of which $15,500.00 will mature April 1st, 1935, and on which said date will be due and payable, and

WHEREAS there are no funds on hand in the treasury of said City of Bend to apply in payment of the principal of any of said bonds, THEREFOR,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section1. That there be issued $15,500.00 of refunding bonds of the City of Bend, by virtue of this ordinance and as authorized by Chapter 156, Oregon Laws, 1933, for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the 1st day of April, 1925, and which said bonds will become due and payable on the first day of April, 1935; the said refunding bonds shall be in denominations of $500.00 each; shall be dated April 1, 1935; shall mature in installments of $1,000.00 each of the years 1936, 1937, and 1938; $500.00 each of the years 1939, 1940, 1941, 1942, 1943 and 1944; $1,000.00 of the year 1945; $2,000.00of the year 1946; $3,000.00 of the year 1947; and $3,500.00 of the year 1948, and bear interest at the rate of 5% per annum, payable semi-annually in April and October of each year. The said bonds shall be signed by the Mayor and City Recorder and the coupons attached thereto shall bear the facsimile signature of said officers. The principal of and the interest on such bonds shall be payable at the office of the City Treasurer of the City of Bend, and the bonds shall be numbered 1 to 31 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promise to pay to bearer the sum of Five Hundred Dollars on the 1st day of April, 19___ with interest thereon at the rate of five per cent per annum, payable semi-annually, upon presentation and surrender of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer in Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $15,500.00 of such bonds for the purpose of refunding a like amount of Bancroft bonds of said City due April 1st, 1935, which were issued by virtue and in pursuance of Ordinance No. 250 duly passed by the Council and approved by the Mayor on the 4th day of April, 1925, and it is hereby certified that every requirement of the constitution and laws of the State of Oregon has been duly complied with in the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by the charter of said town.

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

IN WITNESS WHEREOF, The City of Bend, Oregon, has caused this bond to be signed by its Mayor and contersigned by its Recorder under the corporate seal of said City and the interest Coupons attached hereto to bear the engraved facsimile signature of said Mayor and Recorder, all as of the First day of April, 1935.

_____
Mayor.

Countersigned,

_____
Recorder.

COUPON

No.___ $12.50

On the _____day of_____, 193__ the City of Bend, Oregon will pay to bearer

Twelve and 50/100-----Dollars

at the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft Bond.

Dated this 1st day of April, 1935.

L. G. McReynolds,
Recorder.

F. S. Simpson
Mayor.

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Section 2. That the Commissioners of the City of Bend levy a tax or provide other funds by law in 1935 and each year thereafter to and including the year 1948 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1935.....		$ 387.50
1936.....	$1,000.00	750.00
1937.....	1,000.00	700.00
1938.....	1,000.00	650.00
1939.....	500.00	600.00
1940.....	500.00	587.50
1941.....	500.00	562.50
1942.....	500.00	537.50
1943.....	500.00	512.50
1944.....	500.00	487.50
1945.....	1,000.00	462.50
1946.....	2,000.00	400.00
1947.....	3,000.00	275.00
1948.....	3,500.00	87.50

Section 3. The Recorder is hereby authorized and instructed to advertise said bonds for sale at a special meeting of the Commissioners to be held on the _____ day of _____, 1935, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a newspaper of general circulation published in Bend, Deschutes County, Oregon, said notice to provide that the Bonds shall bear interest at the rate of five per cent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said bonds and that the Commission reserves the right to reject any or all bids, or to sell all or any part of the bonds.

Section 4. In the event that the Commission does not receive a satisfactory bid, or bids, for said refunding bonds, the Mayor and Recorder shall, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft Bonds maturing April 1, 1935 pursuant to agreements entered into between the said Mayor and Recorder acting in behalf of said City of Bend and the holders of the said outstanding Bancroft Bonds.

Section 5. WHEREAS, it is essential that the outstanding Bancroft bonds of the City of Bend which will mature April 1, 1935, be refunded, redeemed and retired on their due date without delay through sale of the aforesaid refunding bonds, or through exchange thereof for the matured bonds, and it is therefore necessary for the peace, health, safety, and credit of the City of Bend, Oregon, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time February 20th, 1935.

Read for the second time March 6th, 1935.

Put upon its passage March 6th, 1935.

Yeas 3

Nays 0

Submitted and approved by the Mayor this 6th day of March, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds.
Recorder.

ORDINANCE NO.(N.S.) 210.

An Ordinance to amend Section 2 of Ordinance No. N.S. 119.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That section 2 of Ordinance No. N.S. 119 be and the same hereby is amended to read as follows:

Section 2. Awnings shall not be placed less than six and one-half feet above the sidewalk, provided that in cases where the framework of the awning is not less than seven feet above the sidewalk, it shall not be deemed a violation of this ordinance if a flexible flap or fringe shall extend six inches below said framework.

Read for the first time April 3rd, 1935.

Read for the second time April 17th, 1935.

Put upon its passage April 17th, 1935.

Ayes 3

Nays 0

Submitted to and approved by the Mayor April 17, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 211.

An Ordinance amending Section 12 of Ordinance No. N.S.178, regulating and limiting the rate of speed of vehicles on streets, alleys and public places of the City of Bend, defining the terms "park" and "parking" and regulating the parking of vehicles on the streets and alleys of Bend, providing the placing of stop signs and regulating vehicular traffic at stop signs, prohibiting U or reverse turns on certain streets and providing penalties for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 12 of Ordinance No. N.S. 178 be, and the same hereby is amended to read as follows, to-wit:

"Section 12. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof in a municipal court shall be punished by a fine of not more than $200.00 or by imprisonment in the city jail, or some other jail,for a period of not more than 100 days, or by having his driver's license revoked for a period of notmore than 90 days within the City of Bend, or by both said fine and imprisonment. and revocation of said license."

Section 13. Inasmuch as the City of Bend at this time has no adequate penalty for the violation of this ordinance wherein the regulation and operation of motor vehicles on the streets of the City of Bend are involved, and at this time there are innumerable accidents through reckless and careless driving, a special effort is being put forth to more thoroughly regulate such traffic within the City of Bend, it is deemed that this ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Bend and that an emergency is hereby declared to exist, therefore this ordinance shall become immediately effective on its passage by the City Commission and its approval by the Mayor.

Read for the first time May 1, 1935.

Read for the second time May 15, 1935.

Put upon its passage May 15, 1935.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 15th day of May, 1935.
ATTEST:

L. G. McReynolds
Recorder.

F. S.Simpson
Mayor

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ORDINANCE (N.S.) 212.

An Ordinance to license, tax, and regulate certain games and mechanical devices used therein designated as pin ball games, and prohibiting the use of dart games and other games of like character involving an element of skill.

THE CITY OF BEND, DOES ORDAIN AS FOLLOWS:

Section 1. Wherever the word, "person" in this ordinance appears it shall be known to mean and include a natural person, persons, firm, corporation or co-partnership, and the singular numbershall include the plural.

Section 2. Definition of terms. Pin Ball Games. A pin ball game as that term is used and understood in this ordinance shall mean and include every machine, table or board of every kind and nature which is operated by the player inserting a coin or slug therein of the denomination or value which shall not exceed five cents, and which thereby permits said player to shoot a ball or balls for designated holes or openings in said machine with the view of compiling certain scores or obtaining certain combinations which entitles the player to prizes, and when so played shall be operated under circumstances requiring the exercise of skill on the part of the player.

Section 3. It shall be unlawful for any person to maintain, keep or operate on his premises , or the premises operated or controlled by him, any such pin ball game or games as hereinbefore described without first securinga license therefor from the City Recorder of the City of Bend as hereinafter provided.

Section 4. That the license fee for each pin ball game shall be the sum of $15.00 per quarter for each pinb all game so placed in operation. Such license fee shall be payable in advance and collected for the unexpired portion of the second quarter of theyear 1935 on a pro-rating basis, and such license shall be not transferable to any other machine.

Section 5. It shall be unlawful for any person to permit or allow any such machine, mechanical device or game described as pin ball games, then in his possession or under his control to be played or operated by any minor under the age of 21 years, or any person of unsound mind, and the proprietor or person in charge of any place of business wherein any such game, machine or mechanical device is operated or displayed, shall be conclusively presumed to be the one in possession and control thereof.

Section 6. It shall be unlawful to operate any such pin ball game or games, mechanical device or devices, as herein provided for, within 600 feet of any public school.

Section 7. Any person desiring to place or locate for operation in the City of Bend any pin ball game or games shall make written application for such license so to do and file the same with the Recorder of the City of Bend. Such application shall show thename, address and place of business of the applicant with a description of the game to be operated sufficient to identify the same, and the total number of such games desired to be covered by the application, Such application shall also set forth the address and location of the place where the applicant desires to locate or place such pin ball game or games, and the said application shall be accompanied by a deposit of the quarterly license fee for each and every game covered. by the application. Such application shall be by the City Recorder referred to the City Commissioners and the said City Commissioners shall investigate the applicant and the games desired to belicensed and the places the applicant desires to place or locate such game or games, and upon investigation, if the said City Commission shall approve the granting of the license applied for, the City Commissioners, or a majority thereof, shall return the application to the City Recorder with its endorsement of approval, and the Recorder shall thereupon issue the necessary license and sticker or stickers, label or labels, provided for herein. However, the said City Commission may, in its discretion approve such application for a lesser number of games than the number applied for and called for in said application, and in such case shall return the application to the Recorder with its approval endorsed thereon and the statement of the number of games approved, and thereupon the City Recorder shall issue a license and sticker or stickers., label or labels, accordingly. Provided further, that in case the applicant does not desire a license for the reduced number of games as applied for, the deposit by him made at the time of filing his application shall be returned to him by the City Recorder, if he so desires, and the Recorder in any event

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shall return to him any sum or sums so deposited and not covered by the City Commissioners' approval. When any application is rejected or disapproved by the City Commission, or a majority thereof, it shall return the application to the Recorder with its endorsement of adisapproval and the Recorder shall thereupon return to the applicant his deposit, and the said City Commission may, in its discretion, reject any and all applications for any reason or cause deemed sufficient by a majority of the said City Commission.

Section 8. The City Commission of the City of Bend, or a majority thereof, shall at all times have the right to revoke any and all licenses issued hereunder, at its discretion, either with or without notice to the licensee. Provided that if said revocation is made for reasons undisclosed by the City Commission, and such revocation may be so made when they deem it advisable, the unexpired portion of the license fees theretofore paid shall be refunded or shall be deposited to the credit of the said licensee; but this Section shall not be understood to mean that in case that such licensee is convicted for a violation of this ordinance that such license fees shall be so returned. And it is further provided that any conviction and violation of this ordinance shall automatically revoke said licensee's license covered by this ordinance, and that the said licensee shall thenceforth be not entitled to a renewal thereof unless the City Commission shall first approve a new application and new fees to be paid.

Section 9. That no boosters or cappers shall be permitted on the sidewalk or the doorway, or in or about the premises where any of the games herein licensed shall be in operation.

Section 10. That the game designated as a dart game, and other games of like character, involving an element of skill and as described in Chapter 369 of the 1935 Laws of the State of Oregon are hereby prohibited.

Section 11. Any violation of this ordinance shall be punished by a fine of not to exceed $200.00 or by imprisonment in the City Jail not to exceed 100 days, or by both such fine and imprisonment.

Section 12. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, that at the present time pin ball games as herein defined are being operated in the City of Bend and that the said games should be licensed and controlled as provided for in this Ordinance, and an emergency is, therefore, hereby declared to exist, and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time April 3, 1935.

Read for the second time May 20, 1935.

Put upon its passage May 20, 1935.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 20th day of May, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.213)

An Ordinance amending Section 1 of Article XXI of Ordinance N.S. 140, as amended by Ordinance N.S. 147, as amended by Ordinance N.S. 161, as amended by Ordinance N.S. 164, as amended by Ordinance N.S. 180 and as amended by Ordinance N.S. 186.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Article XXI of Ordinance N.S. 140 as amended by Ordinance N.S. 147, as amended by Ordinance N.S. 161, as amended by Ordinance N.S. 164, as amended by Ordinance N.S. 180, and as amended by N.S. 186, be and the same hereby is amended to read as follows:

Section 1. Article XXI:
The fees for all licenses as providec by this Ordinance shallbe as follows:

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Billiard, Card and/or Pool Rooms, for each table over one, per quarter	2.50
Bowling Alleys, for each Alley per quarter or fraction thereof	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class 1, per day or fraction thereof	4.00
Hawkers, Class II, per day, or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof	5.00
Second Hand Dealers, per quarter or fraction thereof	2.50
Junk Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat per quarter or fraction thereof	.02
Milk Dealers, per year, distributing less than 25 quarts per day	1.00
From 25 to 50 quarts per day	3.00
From 50 to 100 quarts per day	5.00
From 100 to 300 quarts per day	8.00
From 300 to 500 quarts per day	12.00
From 500 to 700 quarts per day	25.00
From 700 to 900 quarts per day	37.50
From 900 quarts, upwards,per day	50.00
Peddlers, per day, Class 1, (Any fraction of a day is day)	3.00
ClassII,	5.00
Class III,	7.50
Class IV	10.00
Class V	15.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesmen, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	10.00
Vehicles for Hire, per year or fraction thereof	10.00
Transient Merchants, per month or fraction thereof	100.00
Wood Saws, per annum	25.00
Circus, each performance	100.00
Carnivals, per day	150.00
Plus $25.00 for each concession therewith, concession fee to be paid once only.	
Operatic and Dramatic Shows, per day	20.00
Auctioneers, Special, per day	25.00
Auctioneers, General, per day	5.00

Read the first time, May 15, 1935.

Read the second time June 5, 1935.

Put upon its passage June 5, 1935.

Yeas 3
Nays 0

Submitted to and approved by the Mayor this 5th day of June, 1935.

ATTEST:

F. S.Simpson
Mayor

L. G. McReynolds
Recorder.

2RBGd

ORDINANCE N.S. (214)

An Ordinance providing for a special election to be held for the purpose of submitting at said election the question as to whether or not the City Commission of the City of Bend shall adopt a system of Civil Service for its full time paid fire fighters and to make all the necessary provisions therefor.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The City of Bend shall hold anelection for the purpose of submitting to the people of the City of Bend the question as to whether or not the City of Bend through its City Commissioners shall adopt a systemof Civil Service for its full time paid fire fighters and make all the necessary provisions therefor.

Section2. That the said question to be placed before the voters shall be as follows: "Shall the City Commissioners of the City of Bend adopt a system of Civil Service for its full time paid fire fighters and make all the necessary provisions therefor?"

Section 3. That the said question be submitted to the voters of the City of Bend on the date of the next general or special election to beheld in the State of Oregon.

Read for the first time June 21, 1935.

Read for the second time July 8, 1935.

Put upon its passage July 8, 1935.

Yeas 3

Nays 0

Submitted to and approved by the Mayor the 8th day of July, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N.S. (215)

An Ordinance to repeal Ordinance N.S. 202, regulating and controlling the sale of traffic in, and use of alcoholic liquors within the City of Bend, Oregon, and providing penalties for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance N.S. 202 be and the same hereby is repealed.

Read for the first time June 21, 1935.

Read for the second time July 8, 1935.

Put upon its passage July 8, 1935.

Yeas 3

Nays 0

Submitted to and a pproved by the Mayor the 8th day of July, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N.S. (216).

An Ordiance amending Section 7 of Ordinance No. N.S. 113, enlarging the duties of the Chief of the Fire Department of the City of Bend, providing for the registration of persons, firms and corporations engaged in the installing of electrical appliances, and to regulate wiring in or on buildings, awnings or additions to any building within the corporate limits of the City of Bend, and providing a penalty for the violation hereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 7 of Ordinance No. N.S. 113 be and the same hereby is amended to read as follows, to-wit:

"Section. 7--The City shall receive, as compensation for the work herein provided to be done, the same to be paid by the person, firm or corporation taking out the permit herein provided, and the same shall be paid and collected by the said inspector, when the final certificate of inspection is issued. The fees to be paid for and collected for such work shall be as follows,to-wit:

All concealed, open, moulding and conduit work	
1 to 5 outlets	$ .50
6 to 10 outlets	1.00
11 to 30 outlets	1.50
31 to 50 outlets	2.00
51 to 100 outlets	2.50
101 to 200 outlets	3.00
201 and more outlets	5.00
Motors, 1 machine	1.00
Each Additional Machine	.50
Rectifiers	1.00
Electric signs	1.00
Electric Range and Electric Water Heater, or either thereof.	1.00

Read for the first time June 21, 1935.

Read for the second time July 8, 1935.

Put upon its passage July 8, 1935 .

Yeas 3

Nays 0

Submitted and approved by the Mayor this 8th day of July, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N.S. (217)

An Ordinance to provide for the issuance of the City of Bend, Oregon, refunding Bancroft Bonds in the principal sum of $31,500.00; prescribing the form of said bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature November 1, 1935, and declaring an emergency.

WHEREAS, on November 1, 1925, pursuant to Ordinance No. 261 passed by the Council and approved by the Mayor of the City of Bend on the 17th day of November, 1925 as authorized by the charter of said City of Bend adopted November 22, 1911, the said City of Bend issued $36,242.43 of Bancroft Bonds of the City of Bend,Oregon, 1925, and which said bonds were in denominations of $500.00 each and were numbered consecutively from 1 to 73 inclusive, bearing interest at the rate of 6 per cent per annum, payable semi-annually on the 1st day of May and November of each and every year, and which siad bondsran for a period of 10 years from said date, and of which $31,500.00 will mature on November 1, 1935, and on which said date will be due and payable, and

WHEREAS, there are no funds on hand in the treasury of said City of Bend to apply in payment of the principal of any of said bonds, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That there be issued $31,500.00 of refunding bonds of the City of Bend, by virtue of this ordinance and as authorized by Chapter 156, Oregon Laws, 1933, as amended by Chapter 208, Oregon Laws, 1935, and pursuant to Ordinance No. N.S. 217, for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the first day of November 1925, and which said bond will become due and payable on the first day of November 1935; the said refunding bonds shall be in the denomination of $500.00 each; shall be dated November 1, 1935; shall mature in installments of $2000.00 each of the years 1937, 1938, 1939, 1940, 1941, 1942, and 1943 and $2500.00 each of the years 1944, 1945, 1946, 1947, 1948, 1949, and 1950 and bear interest at the rate of 5% per annum, payable semi-annually in May and November of each year. The said bonds shall be signed by the Mayor and City Recorder, and the coupons attached thereto shall bear the facsimile signature of said officers. The principal of and the interest on such bonds shall be payable at the office of the City Treasurer of the City ofBend, and the bonds shall be numbered 1 to 63 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promises to pay to bearer the sum of Five Hundred Dollars on the 1st day of November, 19__ with interest thereon at the rate of five per cent per annum, payable semi-annually, upon presentation and surrender of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer in Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $31,500.00 of such bonds for the purpose of refunding a like amountof Bancroft bonds of said City due November 1, 1935, which were issued by virtue and in pursuance of Ordinance 261 duly passed by the Council and approved by the Mayor on the 17th day of November, 1925, and it is hereby certified that every requirement of the constitution and the laws of the State of Oregon has been duly complied with in the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by the Charter of said town.

For the punctual payment of the principal hereof and the interest hereon, the full faith and credit of the City of Bend are hereby irrevocably pledged.

IN WITNESS WHEREOF, the City of Bend, Oregon, has caused this bond to be signed by its Mayor and countersigned by its Recorder under the corporate seal of said City and the interest Coupons attached hereto to bear the engraved facsimile signature of said Mayor and Recorder, all as of the first day of November, 1935.

F. S. Simpson
Mayor

Attest:

L. G. McReynolds
Recorder.

COUPON

No._____ $12.50

On the___day of_____,193___the City of Bend, Oregon will pay to bearer

Twelve and 50/100 ----------Dollars

At the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft Bond.

Dated this 1st dayof November, 1935.

L.G. McReynolds
Recorder.

F. S. Simpson
Mayor.

Section 2. That the Commissioners of the City of Bend levy a tax of provide other funds by law in 1936 and each year thereafter to and including the year 1950 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1936	$	$1575.00
1937	2000.00	1575.00
1938	2000.00	1475.00
1939	2000.00	1375.00
1940	2000.00	1275.00
1941	2000.00	1175.00
1942	2000.00	1075.00
1943	2000.00	975.00
1944	2500.00	875.00
1945	2500.00	750.00
1946	2500.00	625.00
1947	2500.00	500.00
1948	2500.00	375.00
1949	2500.00	250.00
1950	2500.00	125.00

Section 3. The Recorder is hereby authorized and instructed to advertisesaid bonds for sale at a special meeting of the Commissioners to be held on the 20th day of November, 1935, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a newspaper of general circulation published in Bend, Deschutes County, Oregon, said notice to provide that the Bonds shall bear interest at the rate of five percent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said bonds and that the Commission reserves the right to reject any or all bids, or to sell all or any part of the bonds.

Section 4. In the event that the Commission does not receive a satisfactory bid or bids, for said refunding bonds, the Mayor and Recorder shall, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft Bonds maturing November 1, 1935 pursuant to agreements entered into between the said Mayor and Recorder acting in behalf of said City of Bend and the holders of the said outstanding Bancroft Bonds.

Section 5. WHEREAS, it is essential that the outstanding Bancroft bonds of the City of Bend which will mature November 1, 1935, be refunded, redeemed and retired on their due date without delay through sale of the bonds, and it is therefore necessary for the peace, health, safety and credit of the City of Bend, Oregon, that this Ordinance take effect immediately, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time October 16th, 1935.

Read for the second time November 1st, 1935.

Put upon its passage November 1st, 1935.

Yeas 3

Nays 0

Submitted to and approved by the Mayor on this 1st day of November, 1935.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

2RBGd

ORDINANCE (N.S.) 218.

An Ordinance to amend Sections 4, 5 and 11 of Ordinance No. N.S. 197, defining the term"alcoholic liquor", declaring the possession, transportation, sale, disposal, use, purchase or any other acquisition or disposal of alcoholic liquor, as in said Ordinance defined, contrary to the laws of the State of Oregon or the United States of America or the duly promulgated rules and regulations of the Oregon Liquor Control Commission, to be unlawful, declaring certain other acts and things relative to the purchase, possession and sale of alcoholic liquor to be unlawful, providing a penalty for the violation thereof, and repealing all ordinances in conflict therewith, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Sections 4, 5 and also 11 of Ordinance No. N.S. 197 be, and the same are hereby amended to read as follows:

Section 4. Licensee's Hours of Sale. No licensee holding a state license for the sale or disposal of alcoholic liquor not ove r 17% of alcohol by weight shall directly or indirectly sell, give away, dispose of, deliver, solicit the sale of, or otherwise dispose of any alcoholic liquor or permit the serving of or consumption of alcoholic liquor on his premises during the time the polls are open on the day of any general, special or primary election of the State of Oregon or on any National election, or between the hours of 1 A.M. and 7 A.M. of any day.

Section 5. Places of Business Requirements. It shall be unlawful for any licensee holding a state license for the sale or disposal of alcoholic liquor not over 17% of alcohol by weight, to permit drunkeness , lewd or disorderly conduct or unreasonable or excessive noise in the place of business where the said alcoholic liquor is sold, and the said licensee shall be held responsible for any violation of this section.

Section 11. Age Limit of Purchasers. No alcoholic liquor as herein defined shall be sold, served or given to any intoxicated person, or to any interdicted person, or to an Indian, and it shall be unlawful for any person, other than a parent or guardian or other responsible relative, to sell, serve or give any alcoholic liquor to any person under the age of 21 years, and it shall be unlawful for any person to misrepresent by statements, actions or writings his or her age or the age of another to induce any licensee or other person to sell, serve or give liquor to any person under the age of 21 years."

Read for the first time, December 4, 1935.
Read for the second time, December 18, 1935.
Put upon its passage, December 18, 1935.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 18th day of December, 1935.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 219.

An Ordinance to amend Section 4 of Ordinance N.S. 197 as amended by Ordinance N.S. 218, defining the term "alcoholic liquor", declaring the possession, transportation, sale, disposal, use, purchase or any other acquisition or disposal of alcoholic liquor as in said Ordinance defined contrary to the laws of the State of Oregon or the United States of America or the duly promulgated rules and regulations of the Oregon Liquor Control Commission, to be unlawful, declaring certain other acts and things relative to the purchase, possession and sale of alcoholic liquor to be unlawful, providing a penalty for the violation thereof and repealing all ordinances and parts of Ordinances in conflict therewith.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 4 of Ordinance N.S. 197, as amended by Ordinance No. N.S.218, be and the same hereby is amended to read as follows:

Section 4. Licensee's Hours of Sale. No licensee, holding a state license for the sale or disposal of alcoholic liquor containing not over 17% of alcohol by weight, shall directly or indirectly sell, give away, dispose of, deliver, solicit the sale of, or otherwise dispose of any alcoholic liquor, or permit the serving or consumption of alcoholic liquor on his premises during the time the polls are open on the day of any general, special or primary election of the State of Oregon, or any National election day, or between the hours of 1 A.M. and 12 Noon of any Sunday and 1 A.M. and 7 A.M. on any other day of the week, except that when the Fourth of July falls on a Sunday, sale may be made on such Sunday at all times except between the hours of 1 A.M. and 7A.M.

Read for the first time January 15, 1936.
Read for the second time February 5, 1936.
Put upon its passage February 5, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 5th day of February, 1936.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE N.S. (220).

An Ordinance to amend Section 4 of Ordinance N.S.212, being an Ordinance to license, tax and regulate certain games and mechanical devices used, therein designated as pin ball games, and prohibiting the use of dart games and other games of like character involving an element of skill.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 4 of Ordinance N.S. 212 be, and the same hereby is amended to read as follows:

"Section 4. That the license fee for each pin ball game shall be the sum of $60.00 per quarter for each pin ball game so placed in operation. Such license fee shall be payable in advance and collected for the unexpired portion of the first quarter of the year 1936 on a pro-rating basis, and such license shall be not transferable to any other machine."

Section 12. Inasmuch as this Ordinance is necessary for the immediate preservation of thepublic health, peace and safety of the City of Bend in this, that at the present time pin ball games, as herein defined, are being operated in the City of Bend on a rental basis much to inadequate, and that said games should be licensed and controlled as provided for in Ordinance amended herein, and an emergency is, therefore, hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time February 5, 1936.
Read for the second time February 19, 1936.
Put upon its passage February 19, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 19th day of February, 1936.

ATTEST:
L. G. McReynolds
City Recorder.

F. S. Simpson
Mayor.

2RBGd

ORDINANCE (N.S.) 221

An Ordinance to provide for the issuance of the City of Bend, Oregon, Refunding Bancroft Bonds in the principal sum of $30,000.00; prescribing the form of said Bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature May 1, 1936, and declaring an emergency.

WHEREAS, on May 1, 1926, pursuant to Ordinance No. 269 passed by the Council on May 7, 1926 and approved by the Mayor of the City of Bend on the 8th day of May, 1926 as authorized by the charter of said City of Bend adopted November 22, 1911, the said City of Bend issued $31,072.70 of Bancroft Bonds of the City of Bend, Oregon, 1926, and which said bonds were numbered consecutively from 513 to 575 inclusive and were in denominations of $500.00 each excepting Bond 513 which was for $72.70, bearing interest at the rate of 6% per annum, payable semi-annually on the 1st day of May and November of each and every year, and which said bonds ran for aperiod of 10 years from said date, and of which $30,000.00 will mature May 1, 1936, and on which said date will be due and payable, and

WHEREAS, there are no funds on hand in the treasury of said City of Bend, to apply in payment of the principal of any of said bonds, THEREFORE?

THE CITY OF BEND DOES ORDAIN:

Section 1. That there be issued $30,000.00 of refunding bonds of the City of Bend, by virtue of the Ordinance and as authorized by Chapter 156, Oregon Laws, 1933, as amended by Chapter 208, Oregon Laws, 1935, and pursuant to this Ordinance for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the first day of May 1926, and which said bond will become due and payable on the first day of May 1936; the said refunding bonds shall be in the denominations of $500.00 each; shall be dated May 1, 1936; shall mature in installments of $2000.00 each of the years 1937 to 1951 inclusive and bear interest at the rate of 5% per annum, payable semi-annually in May, and November of each year. The said bonds shall be signed by the Mayor and City Recorder, and the coupons attached thereto shall bear the facsimilie signature of said officers. The principal of and the interest on such bonds shall be payable at the office of the City Treasurer of the City of Bend, and the bonds shall be numbered 1 to 60 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promises to pay to bearer the sum of Five Hundred Dollars on the 1st day of May, 19__ with interest thereon at the rate of five per cent per annum, payable semi-annually, upon presentation and surrender of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer in Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $30,000.00 of such bonds for the purpose of refunding a like amount of Bancroft Bonds of said City due May 1, 1936, which were issued by virtue and in pursuance of Ordinance No. 269 duly passed by the Council and approved by the Mayor on the 8th day of May, 1926, and it is hereby certified that every requirement of the constitution and the laws of the State of Oregon has been duly complied with in the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by the charter of said town.

Section 3. Said bonds will be issued at the option of the City Commissioners with the right and privilege contained therein to call or redeem unmatured bonds in serial order on or after three years from the date of issuance; such privilege of call or redemption to be noted on the bond, which privilege shall be exercised by giving a notice to be published at least 30 days prior to such redemption date, such notice to be published at least one issue of a newspaper, printed and published in Deschutes County, Oregon, and said redemption or call date shall be

on an interest paying date, and after such date interest on said call bonds shall cease.

For the punctual payment of the principal thereof and the interest hereon, the full faith and credit of the City of Bend are hereby irrevocable pledge.

IN WITNESS WHEREOF, The City of Bend, Oregon, has caused this bond to be signed by its Mayor and countersigned by its Recorder under the corporate seal of said City and the interest Coupons attached hereto to bear the engraved facsimile signature of said Mayor and Recorder, all as of the first day of May, 1936.

F. S. Simpson
Mayor.

Countersigned:

L. G. McReynolds,
Recorder.

COUPON

No._____ $12.50

On the____day of_____,193___ the City of Bend, Oregon will pay to bearer

Twelve and 50/100 ----------Dollars

At the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft Bond.

Dates this 1st day of May, 1936.

L. G. McReynolds
Recorder.

F. S. Simpson
Mayor.

Section 2. That the Commissioners of the City of Bend levy a tax of provide other funds by law in 1937 and each year thereafter to and including the year 1951 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1936	$	$750.00
1937	2000.00	1,450.00
1938	2000.00	1,350.00
1939	2000.00	1,250.00
1940	2000.00	1,150.00
1941	2000.00	1,050.00
1942	2000.00	950.00
1943	2000.00	850.00
1944	2000.00	750.00
1945	2000.00	650.00
1946	2000.00	550.00
1947	2000.00	450.00
1948	2000.00	350.00
1949	2000.00	250.00
1950	2000.00	150.00
1951	2000.00	50.00

Section 3. The Recorder is hereby authorized and instructed to advertise said bonds for sale at a special meeting of the Commissioners to be held on the 1st day of May, 1936, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a newspaper of general circulation published in Bend, Deschutes County, Oregon, said notice to provide that the Bonds shall bear interest at the rate of five per cent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said bonds and that the Commission reserves the right to reject any or all bids, or to sell allor any part of the bonds.

Section 4. In the event that the Commission does not receive a satisfactory bid, or bids, for said refunding bonds, The Mayor and Recorder, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft bonds maturing May 1, 1936, pursuant to agreements entered into between the said Mayor and Recorder acting in behalf of the said City of Bend and the holders of the said

outstanding Bancroft Bonds.

Section 5. WHEREAS, it is essential that the outstanding Bancroft Bonds of the City of Bend which will mature May 1, 1936, be refunded, redeemed and retired on their due date without delay through sale of the bonds, and it is therefore necessary for the peace, health, safety and credit of the City of Bend, Oregon, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the First time March 17, 1936
Read for the Second time April 1, 1936.

Put upon its passage April 1, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 1st day of April, 1936.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 222

An Ordinance to amend Section 2 of Ordinance N.S. 212, as amended by Ordinance N.S. 220, being an ordinance to license, tax and regulate certain games and mechanical devices used therein designated as pin ball games and prohibiting the use of dart games and other games of like character involving an element of skill, and by adding a new section thereto designated as Section 12-A.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 2 of Ordinance N.S. 212 be, and the same hereby is amended to read as follows:

"Section 2. Definition of terms. PIN BALL GAMES. A pin ball game as that term is used and understood in this Ordinance shall mean and include every machine, table or board of every kind and nature which is operated by the player inserting a coin therein of the denomination or value of which shall not exceed five cents and which thereby permits said player to shoot a ball or balls for designated holes or openings in said machine with the view of compiling certain scores or obtaining certain combinations which entitles the player to prizes, and when so played shall be operated under circumstances requiring the exercise of skill on the part of the player."

Section 12-A Any person who with intent to cheat or defraud the owner, lessee, licensee or other person entitled to the contents of any coin box or other receptacle, depository or contrivance designated to receive lawful coins of the United States of America in connection with the sale, use or enjoyment of property or service, or who shall place in any machine herein designated as a pin ball game any slug or other article instead of lawful money of the United States in order to play said pin ball game, shall be deemed guilty of a violation of this Ordinance and upon conviction thereof shall be punished as in Section II herein provided for.

Section 12. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, that at the present time players of pin ball games herein licensed are using slugs and counterfeit coins in the operation of the pin ball games herein licensed, and in order to prevent and prosecute such practice, it is necessary that this Ordinance go into effect as soon as possible, and an emergency is therefore hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time April 1, 1936.
Read for the second time April 15, 1936.
Put upon its passage April 15, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 15th day of April, 1936.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 223

An Ordinance to prevent the practice of persons going in and upon private property or calling at residencesin the City of Bend, Oregon, by solicitors, peddlers, hawkers, intinerant merchants, transient vendors of merchandise and transient photograph sdicitors, not having been requested or invited so to do by theowner or owners, occupant or occupants of said private residence, declaring such practice to be a nuisance, providing a penalty for the violation hereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The practice of persons of going in and upon private property or calling at residences in the City of Bend, Oregon, by solicitors, peddlers, hawkers, intinerant merchants, transient vendors of merchandise and transient photograph solicotors, not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residences, for the purpose of soliciting orders for the sale of goods,wares and merchandise and/or for the purpose of disposing of/and/or peddling or hawking the same, or soliciting orders for photographs, is hereby prohibited and declared to be a nuisance and punishable as such nuisance as a misdemeanor.

Section 2. The Chief of Police and Police Officers of the City of Bend are hereby required and directed to suppress the same and to abate any such nuisance as is described in the first section of this Ordinance.

Section 3. Any person convicted of perpetrating a nuisance as described andprohibited in the first section of this ordinance, upon conviction thereof, shall be punished by a fine of not to exceed $200.00 or by imprisonment in the city jail not exceeding 100 days, or by both such fine and imprisonment.

Section 4. All Ordinance and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this, that the residents and inhabitants of the City of Bend, are continuously bothered with agents and peddlers of merchandise, and to eliminate such nuisance it is deemed necessary that an emergency be, and the same hereby is declared to exist, and this Ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time April 1, 1936
Read for the second time April 15, 1936.
Put upon its passage April 15, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 15th day of April 1936.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds Recorder.

2RBGd

ORDINANCE (N.S.) 224

An Ordinance to amend Section 5 of Ordinance N.S. No. 111, being an ordinance regulating the construction, erection, raising, lowering, altering, repairing and use of buildings, and to provide for the protection against fire and to definitely establish the fire limits of the City of Bend and providing for a penalty for violations thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 5 of Ordinance N.S. 111 be and the same hereby is amended to read as follows:

"Section 5. All property lying within the boundaries in this section set forth is hereby declared to lie within the fire limits within the City of Bend, Oregon, to-wit:

Commencing at a point on Division Street where the same is intersected by the alley in Block 25 of the Original Town of Bend; thence Westerly along the center line of said alley to its intersection with Harriman Street; thence South along Harriman Street to its intersection with Irving Avenue; thence Westerly on Irving Avenue to its intersection with the center line, extended, of the alley in Block 15 of the Original Town of Bend; thence Southwesterly along said alley to its intersection with Louisiana Avenue; thence Westerly on Louisiana Avenue to an intersection with the center line, extended, of the alley in Block 5 of the Original Town of Bend; thence along said alley to an intersection with the Southwesterly line of Oregon Avenue; thence Northwesterly along the Southwesterly boundary line of Oregon Avenue to the South corner of Lot 6 in Block 2 of the Original Town of Bend; thence Northeasterly along the Northwesterly side of Brooks Street to the Easterly corner of Said Lot 6; thence Northwesterly along the Northeasterly side of said Lot 6 in a straight line and extending to the Deschutes River; thence Northerly along said River to Greenwood Avenue; thence Southeasterly along Greenwood Avenue to its intersection with Wall Street; thence Northeasterly on Wall Street to its intersection with Vermont Place; thence along Vermont Place to its intersection with Hill Street; thence South on Hill Street to Kearney Avenue; thence Easterly on Kearney Avenue to Division Street; thence Southerly on Division Street to the point of beginning. Unless otherwise specified the center line of the streets, alleys and/or public ways, above mentioned are intended in all cases.

Section 16. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, that a proper building restriction with reference to fire hazards shall be maintained at all times within the City of Bend, that a change in the present fire limits is necessary, an emergency is therefore hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time March 4, 1936.
Read for the second time May 6, 1936
Put upon its passage May 6, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of May, 1936.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE (N.S.) 225

An Ordinance to amend Sections 5 and 8 of Ordinance N.S. 178, being an Ordinance regulating and limiting the rate of speed of vehicles on the streets, alleys and public places of the City of Bend; defining the terms "park" and "parking" and regulating the parking of vehicles on the streets and alleys of the City of Bend; providing for the placing of stop signs and regulating vehicular traffic at stop signs; prohibiting U or reverse on certain streets; providing penalties for violations hereof; repealing Ordinance N.S. 175, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Sections 5 and 8 of Ordinance N.S. 178 be, and the same hereby are amended to read as follows:

"Section 5. Except as otherwise herein provided, parking upon any of the following described parts of public streets within the City of Bend between the hours of 2 o'clock A.M. and 7 o'clock P.M. shall be limited to a period of one hour, to-wit: That portion of Wall Street lying between Franklin Aveue and Greenwood Avenue; that portion of Bond Street lying between Franklin Avenue and Greenwood Avenue; that portion of Minnesota Avenue lying between Wall Street and Bond Street, and that portion of Oregon Avenue lying between Wall Street and Bond Street.

Section 8. The City Manager, with the approval of the City Commission, shall have authority to designate such parking areas in the business section of the City of Bend as he may deem expedient, for the purpose of reserving such areas for the use of Peace Officers in the performance of their duties as such, for the purpose of loading or unloading freight, and for the purpose of ingress to or egress from buildings, and for the purpose of tourist parking; such areas shall be plainly marked by police marking strips and/or by "no parking" signs; it shall be unlawful for any person to park a motor vehicle on any such areas except for the purposes above designated."

Section 14. Inasmuch as the City of Bend at this time has an Ordinance extending the one hour parking time to a different hour, and as the City Manager has no authority for designating tourist parking spaces, and for the further convenience of all traffic upon the streets and alleys within the City of Bend, it is deemed that this Ordinance is a measure for the immediate preservation of the peace, health and safety of the City and that an emergency, therefore, exists, and such emergency is hereby declared to exist; therefore, this Ordinance shall become immediately effective upon its passage by the Commission and approval by the Mayor.

Read for the first time April 15, 1936
Read for the second time May 6, 1936.
Put upon its passage May 6, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of May, 1936.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

2RBGd

ORDINANCE (N.S.) 226

An Ordinance to amend Section 4 of Ordinance N. S. 178 and to amend Section 5 of said Ordinance N. S. 178, as amended by Section 5 of Ordinance N. S. 225, being an ordinance regulating and limiting the rate of speed of vehicles on streets, alleys and public places of the City of Bend; defining the terms "park" and "parking" and regulating the parking of vehicles on the streets and alleys of the City of Bend; providing for the placing of Stop Signs and regulating vehicular traffic at Stop Signs; prohibiting U or Reverse turns on certain streets; providing penalties for violations thereof, repealing Ordinance N. S. 175 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 4 of Ordinance N. S. 178 and also Section 5 of Ordinance N. S. 178, as amended by Ordinance N.S. 225, be and the same hereby are amended to read as follows:

"Section 4. All parking is hereby prohibited at all times along the curb immediately adjoining to and in frontof any theater or moving picture theater; all parking is hereby prohibited along the curb adjacent to and immediately in front of the main entrance to a building used as a place of public worship or of public amusement or entertainment, other than a theater or moving picture theater, during the time such building is being used and occupied for such purpose; all parking is prohibited on the following streets, to-wit: on both sides of Brooks Street from its intersection at Oregon Avenue to its intersection with Greenwood Avenue; on the Northerly side of Greenwood Avenue from its intersection with the Westerly side of Wall Street to a point 100 feet West of its intersection with the Westerly side of Brooks Street extended Northerly; on both sides of Minnesota Avenue from the alley between Bond Street and Lava Road to said Lava Road.

Section 5. Except as otherwise herein provided, parking upon any of the following described parts of public streets within the City of Bend between the hours of 2 o'clock A.M. and 7 o'clock P. M. Shall be limited to a period of one hour, to-wit: That portion of Wall St. lying between Franklin Avenue and Greenwood Avenue; thatportion of Bond Street lying between Franklin Avenue and Greenwood Avenue; that portion of Minnesota Avenue lying between Wall Street and the alley between Bond Street and Lava Road, and that portion of Oregon Avenue lying between Wall Street and Bond Street."

Section 15. Inasmuch as the City of Bend at this time has an Ordinance extending the one hour parking time in certain localities and it has been found thatadditonal one hour parking space should be included in said ordinance for the purpose of eliminating congestion of the traffic on said streets and making it possible that the City Fire Department be not hampered in movement of its fire apparatus from the Fire Station, it is deemed that this Ordinance is a measure for the immediate preservation of the peace,health and safety of the City of Bend, and that an emergency, therefore exists, and such emergency is hereby declared to exist. Therefore, this Ordinance shall become immediately effective upon its passage by the Commission and approval by the Mayor.

Read for the first time June 17, 1936.
Read for the second time July 1, 1936.
Put upon its passage July 1, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 1st day of July, 1936

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 227

An Ordinance authorizing the use of white canes exclusively by pedestrians wholly or partially blind, and providing protection against street accidents to such persons.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That, for the purpose of guarding against accidents in traffic on the public thoroughfares, it shall be unlawful for any person except persons wholly or partially blind to carry or use on the streets, highways and public places of the City any canes or walking sticks which are white in color, or white with red end or bottom. Such canes or walking sticks may be used on the streets and other public places of the City by persons wholly or partially blind as a means of protecting them and for the purpose of identifying them by drivers of vehicles, operators of motor driven vehicles and other pedestrians with whom they come in contact on such streets, highways and public places.

Section 2. Any driver of a vehicle, operator of a motor driven vehicle, or pedestrian who is not wholly or partially blind, who approaches or comes in contact with a person wholly or partially blind carrying a cane or walking stick white in color, or white with red end, shall immediately come to a full stop and take such precautions before proceeding as may be necessary to avoid accident or injury to the person so carrying a white cane or walking stick.

Section 3. Any person who shall carry a cane or walking stick such as is described in Section 1 hereof contrary to the provisions of this Ordinance, or who shall fail to heed the approach of a person so carrying a white cane or walking stick or one white with red end, or who shall fail to come to a stop upon approaching or coming in contact with a person so carrying such a cane or walking stick, or who shall fail to take precautions against accident or injury to such a person after coming to a stop as provided for herein, shall be fined not less than one dollar nor more than one hundred dollars for each offense.

Read for the first time August 5, 1936.
Read for the second time August 19, 1936.
Put upon its passage August 19, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 19th day of August. 1936.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (N.S.) 228

An Ordinance amending Ordinance N. S. 133, being an Ordinance providing a penalty for the violation of quarantine regulations imposed by the City Physician in the case of communicable diseases, of any disease conclusive, subject to appeal to the State Board of Health, providing for the appointment of guards to enforce the quarantine regulation and providing for a penalty for the violation of this Ordinance, by adding a new section to said Ordinance to be known as Section 5.

2RBGD

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Ordinance N. S. 133 be, and the same hereby is amended by adding a new section thereto, to be known as Section 5, and which said Section 5 reads as follows, to-wit:

"Section 5. It shall be unlawful for any person having charge, custody or control of any minor or incompetent person, as parent, guardian or otherwise, to permit such minor or other person under his or her control, care and custody to come in contact or mingle are attending or to go upon the streets of the City of Bend while afflicted with a communicable disease."

Section 6. Inasmuch as the City of Bend at this has no adequate remedy for compelling persons in charge of minors to refrain from permitting said minors to mingle with other persons where said minors are afflicted with a communicable disease and the future health and safety of the public is thereby jeopardized, it is, therefore, deemed necessary that this ordinance be enacted and go into effect as soon as possible in order to preserve the peace, health and safety of the City of Bend, thatan emergency, therefore, exists become immediately effective upon its passage by the Commission and its approval by the Mayor.

Read for the first time August 5, 1936.
Read for the second time September 2, 1936.
Put upon its passage September 2, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 2nd day of September, 1936.

F. S.Simpson
Mayor.

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE (NS.) 229.

An Ordinance prohibiting the use of apparatus causing radio interference, appointing a city inspector, providing a penalty for the violation thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person or persons to operate or permit or cause to be operated within the City of Bend, Oregon, any device, apparatus or instrument of any kind whatsoever, generating or causing high frequency oscillations, the operation of which shall cause reasonable preventable electrical interference with radio reception, broadcast, transmission or receiving apparatus.

Section 2. There is hereby added to the duties of the Chief of the Fire Department the powers and duties of City Inspector as required by this Ordinance, and the said City Inspector shall be and he hereby is authorized to appoint deputies or assistants in carrying out the provisions of this Ordinance, and the said City Inspector, or any of his authorized deputies or assistants, shall have the right to enter into and upon any premises at all reasonable hours for the purpose of inspecting the installation and/or operation of electrical apparatus, and it shall be unlawful for any person to interfere with said city inspector, his deputies or assistants, in any such inspection or to refuse to permit said City Inspector, his deputies or assistants, to enter the premises for such purposes.

Section 3. Any person or persons who shall violate any of the terms or provisions of this Ordinance shall, upon conviction thereof in the Municipal Court, be punished by a fine of not to exceed $100.00 or by confinement in the City Jail not to exceed 50 days, or by both such fine and imprisonment.

Section 4. Inasmuch as there is at the present time certain apparatus in the City of Bend, Oregon, causing unnecessary interference with radio reception , and it is necessary that such interferance be eliminated at as early a date as possible, and that such elimination is necessary for the immediate preservation of the public health, peace and safety of the City of Bend. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time October 21, 1936.
Read for the second time November 4, 1936.
Put upon its passage November 4, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 4th day of November, 1936.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
City Recorder.

ORDINANCE N.S. 230

An Ordinance regulating the deposit of city funds; repealing Ordinance No. N.S. 139, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The provisbns of Chapter 438 of the 1933 Oregon Laws and Chapter 30 of the 1935 Oregon Laws and also all acts hereafter amendatory thereof and supplementary thereto and which may hereafter amend said laws which regulate and designate themanner and method of treasurers of municipalities handling municipal funds, be and the same hereby are adopted as the method of handling municipal funds by the City Treasurer of the City of Bend.

Section 2. Ordinance No. N.S. 139 be, and the same hereby is repealed.

Section 3. Inasmuch as the City of Bend at this time has an Ordinance regulating and designating the manner in which municipal funds of the City of Bend shall be handled with reference to bank deposits, and which Ordinance is in conflict with the laws of the State of Oregon regulating the handling of such funds, it is, therefore deemed necessary that the(said Ordinance now in existence be repealed and) that the City of Bend adopt the regulations required by the laws of the State of Oregon. It is, therefore, deemed necessary that the City follow the State law at as early a date as possible and the immediate preservation of the public health, peace and safety of the City of Bend should be preserved; therefore,an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time November 4, 1936.
Read for the second time November 18, 1936.
Put upon its passage November 18, 1936.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 18th day of November, 1936.

2RBGd

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N.S. 231.

An Ordinance to amend Section 1 of Ordinance N. S. 189 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Ordinance N. S. 189 be and the same hereby is amended to read as follows:

Section 1. It shall be unlawful for any person owning or having, charge, care or control of any dog, male or female, of the age of eight months, to permit or allow the same to run at large upon any street, alley, lot or public place within the cooperate limits of the the City of Bend, unless there shall be attached to such dog a collar on which there shall be a tag with an appropriate number, to be obtained from or through the County Clerk of Deschutes County, Ore., as hereinafter provided; and it shall be unlawful for any person to imitate or conterfeit such tag and place the same on any such dog within the City and in no case shall any dog or pup, regardless of age, be permitted to run at large during the time from March 20th to May 30th, both dates inclusive, of any year.

Section 10. In as much as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this; that during the times herein designated in which it shall be unlawful for any dog to be running at large, the federal migratory birds are collecting and raising their young, which birds are disturbed and destroyed by dogs permitted and allowed to roam at large and it is the intention and desire to preserve such wild life collecting with the City Limits of the City of Bend, therefore, an emergency is hereby declared to exist and this Ordinance shall be in force and effect immediately from and after its passage by the Commission and approval by the Mayor.

Read for the first time March 16, 1937.
Read for the second time April 7, 1937.
Put upon its passage April 7, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 7th day of April, 1937.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N. S. 232.

An Ordinance to amend Article 18 of Ordinance N. S. 140, as amended by Ordinance N. S. 172, being an Ordinance regulating private business and licensing the same and providing a penalty for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Article 18 of Ordinance N. S. 140, as amended by Ordinance N. S. 172, be and the same hereby is amended to read as follows:

ARTICLE XVIII.
WOOD SAWS AND WOOD DEALERS.

Section 1. A wood yard shall be defined to be a place where fire

wood is kept for sale, regardless of the amount or quantity stored thereat.

Section 2. A wood dealer as herein defined shall be any person who maintains and operates a wood yard as herein defined.

Section 3. It shall be unlawful for any person, persons, firm or corporation to operate a woodsaw, the motive power of which shall be steam, electricity, gasoline or other mechanical force, on any street, alley, park or other public place in the City of Bend, or to transport such woodsaw on or over any street or alley for the purpose of operating the same within the City of Bend, without having first obtained a license therefor, said license not to be issued for less than one year. No license shall be issued until the applicant shall make a showing, satisfactory to the City Manager, that such woodsaw is in good mechanical condition and can and will be operated and transported with safety to the general public, and that any such wood saw shall, at all times be fully covered with protecting device, or devices, while being transported over the streets or alleys of the City of Bend, to the satisfaction of the City Manager.

Section 4. That any person, firm or corporation desiring to operate a wood yard, within the City of Bend, shall make application to the City Commission for a license therefor, and such application shall give the exact location of the proposed yard and shall be accompanied by the annual license fee of $15.00; such license fee shall be for the fiscal year ending December 31st of the year in which licensed, and all such wood yards shall secure a new license beginning the first of the new year; no license shall be granted for less than one year.

Section 5. Upon said application being filed with the Recorder of the City of Bend, the Chief of the Fire Department shall be notified of such application, who shall make an investigation of the proposed location and interview the property owners of the property where the said wood yard is to be located, as well as property owners in the locality of the proposed wood yard, together with any and all persons affected thereby.

Section 6. After such investigation and report, the matter of said application shall be referred to the City Commission, and if said application is approved, the applicant shall post and maintain a cash bond of $50.00, with the City of Bend, as a guarantee that the operators of said wood yard shall keep the premises so used in a clean condition and satisfactory to the Chief of the Fire Department, as in his judgment, from a fire hazard, or unsightly condition, may be necessary. Said cash Bond so deposited with the City of Bend, to be released and paid over to the party depositing the same, without interest, upon full compliance with the provisions of this section, at the expiration of said license and upon the termination of the operation of said wood yard.

Section 7. If the application be rejected by the City Commission, the license fee shall be returned to the applicant.

Section 8. No license fee shall be required for the operator of a stationary wood saw permanently located on premises either owned or controlled by the operator, but that any and all wood saws either used on premises as stationary wood saws or otherwise shall not be operated except between the hours of 7 A.M. and 7 P.M. during the six working days of the week, and that no wood shall be sawed on the day commonly known as Sunday.

Section 9. It shall be unlawful to store wood on any street or alley, except in case of unloading, and then for such purpose for no longer period than 24 hours, and in no case shall unloading of wood block traffic or ingress and egress to private property.

Section 10. It shall be unlawful for any person, or persons, to deposit sawdust, debris, or other wood product upon any street or alley without cleaning up the same immediately upon leaving the job and in no case shall it be left on the street or alley over night.

Section 11. It shall be unlawful for any person, or persons, to deposit sawdust, debris or other wood product upon private property and permit the same to remain thereon for a period of five days, or longer.

2RBGd

Section 12. That all wood dealers operating within the City of Bend at the time this Ordinance goes into effect shall immediately cause their premises to comply with this Ordinance within a period of ten day s from the date of its passage.

Read for the first time March 16th, 1937.
Read for the second time April 7th, 1937.
Put upon its passage April 7th, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 7th day of April, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds,
Recorder.

ORDINANCE N.S. 233.

An Ordinance vacating that portion of Idaho Street, between the west boundary line of Broadway Street and the east boundary line of the alley running in the northerly and southerly direction between Broadway Street and Congress Street, Bend, Oregon, reserving therein, however, to the City of Bend, and the general public the right to use said street, so vacated, for the purpose of a pedestrian lane and declaring an emergency.

WHEREAS, the owners of all the lots and parcels of land located on or adjacent to Idaho Street, lying between Broadway Street and the east boundary line of the alley running ina northerly and southerly direction between Broadway Street and Congress Street, Bend, Oregon did file in the office of the Recorder of the City of Bend, a petition praying for the vacation of the said Idaho Street and that said petition likewise contains the other required property owners signature, and

WHEREAS, the said petition was filed with the City Recorder onthe first day of April, 1937, and

WHEREAS, the said petition was considered by the Commissioners on Wednesday the 7th day of April, 1937 at a meeting held at said time and no reason manifestly existing why said petitbn should not be allowed, and upon motion, duly seconded and carried. Wednesday and the 19th day of May, 1937, at the hour of 8 o'clock P.M. in the Commissioners Chambers in the City Hall (Baird Building), Bend, Oregon, was the time and place fixed for a formal hearing on said petition, and

WHEREAS, in accordance with said motion the City Recorder did on the 9th day of April, 1937, duly post a notice of street vacation at each end of the street, proposed to be vacated, to-wit:. on Idaho Street, at the intersection of Broadway Street and Idaho Street, at the intersection of said Idaho Street with the alley and the east line of the alley running northerly and southerly between Broadway and Congress Streets, both in Bend, Oregon; and that the said notices were duly posted by nailing the same to a telephone post located at such pints; and that the said notice was likewise duly published in the Bend Bulletin for four consecutive weeks, the first publication being the 9th day of April, 1937 and the last publication being the 30th day of April, 1937; and that a copy of said notice as published and posted is duly on file in this proceeding, together with the affidavit of such posting and publication, and

WHEREAS, it appears that the petitioners are the owners of all the real property adjacent to and immediately adjoining the said Idaho Street, between Broadway and the east boundary line of the alley running in a northerly and southerly direction between Broadway Street and Congress Street; and are the only parties effected by the vacation of any portion of the street, and

WHEREAS, upon the hearing of said petition by the Commissioners of the City of Bend, as set forth in said notice of street vacation no objections were interposed to the vacation of said street and at this time no reason existing why the said petition should not be granted, save and except that there should be a reservation to the City of Bend, and the general public, of a right to use said street, so vacated, for the purpose of a pedestrians lane, and the balance of said street to be vacated as prayed for in said petition; now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Idaho Street, between the west boundary line of Broadway Street and the east boundary line of the alley running in a northerly and southerly direction between Broadway Street and Congress Street, Bend, Oregon, be and the same hereby is vacated, save and except that the right to the City of Bend and the general public is hereby reserved to use said street, so vacated, for the purpose of a pedestrian lane; and that said street, after the passage of this Ordinance shall be considered, as the private property of adjacent owners and henceforth the said street shall in no way be a public thoroughfare, save and except for the purpose hereintofore outlined.

Section 2. Inasmuch as the vacation of Idaho Street between the west boundary line of Broadway Street and the East boundary line of the alley running in a northerly and southerly direction between Broadway Street and Congress Street is necessary for the purpose of permitting the adjacent property owners to land-scape and improve the same and thereby further beautify the City of Bend, and that particular locality of said street, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from its passage by the Commission and its approval by the Mayor.

Read for the first time May 19, 1937.
Read for the second time June 2, 1937.
Put upon its passage June 2, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 2nd day of June, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds,
Recorder.

ORDINANCE N.S. 234

An Ordinance to amend Section 1 of Ordinance N. S. 189 as ammended by Ordinance N. S. 231 and by adding a new Section to Ordinance N. S. 189 and declaring an emregency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Ordinance N. S. 189, as amended by Section 1 of Ordinance N. S. 231, be and the same hereby is amended to read as follows:

Section 1. It shall be unlawful for any person owning or having charge, care or control of any dog, male or female, of the age of eight months, to permit or allow the same to run at large upon any street, alley, lot, or public place within the cooperate limits of the City of Bend, unless there shall be attached to such dog a collar on which there shall be a tag with an appropriate number, to be obtained from or through the County Clerk of Deschutes County, Oregon, as hereinafter provided; and it shall be unlawful for any personto imitate or counterfeit such tag and place the same on any such dog within the City; and in no case shall any dog or pup, regardless of age, be permitted to run at at large during the time from March 20th to June 30, both dates inclusive of any year.

2RBGd

Section 10. It shall be unlawful for any person owning or having charge, care or control of any dog of any age to permit or allow the said dog to trespass upon any property of another without consent of such other preson; or to permit such dog to molest, bark at, or run after any person or vehicle upon any street or alley within the City of Bend, Oregon.

Section 11. In as much as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this; that during the times herein designated in which it shall be unlawful for any dog to be running at large, the federal migratory birds are collecting and raising their young, which birds are disturbed and destroyed by dogs permitted and allowed to roam at large and it is theintention and desire to preserve such wild life collecting within the City Limits of the City of Bend; and to further prevent such dogs from interferring with persons and vehicular traffic as herein defined of which such practice is annoying and liable to cause accident and injury to persons, therefore, an emergency is hereby declared to exist and this Ordinance shall be in force and effect immediately from and after its passage by the Commission and approval by the Mayor.

Read for the first time May 19th, 1937.
Read for the second time June 2, 1937.
Put upon its passage June 2, 1937.

Yeas

Nays

Submitted to and approved by the Mayor this 2nd day of June, 1937.

F. S.Simpson
Mayor.

ATTEST:

L. G. McReynolds,
Recorder.

ORDINANCE N. S. 235.

An Ordinance providing for the regulation and operation of bicycles within the City of Bend, fixing a penalty for the violation thereof and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. No person shall ride or operate any bicycle upon any street, alley or public place within the corporate limits of the City of Bend during the period from a half hour after sunset to a half hour before sunrise, and all times when fog or other atmospheric conditions render the operation of said bicycle dangerous to traffic or the use of the streets, or at any other time when there is not sufficient light to render clearly discernible any person on the streets a distance of two hundred feet ahead without having a lighted lamp affixed on the front of said bicycle visible under normal atmospheric conditions from a distance of at least three hundred feet in front of said bicycle and als o a reflex mirror or lighted lamp on the rear of said bicycle exhibiting a red light visible under like conditions from a distance of at least two hundred feet to the rear of such bicycle.

Section 2. No person shall operate or ride on any bicycle upon any street, alley or public place in the City of Bend with two or more persons upon the same bicycle; provided, however, that this restriction shall not apply to tandem bicycles or other bicycles equipped for two or more riders.

Section 3. No person while riding or operating a bicycle on any street, alley or public place in the City of Bend shall hold on to any other vehicle.

Section 4. No person shall ride or operate any bicycle on any sidewalk in the City of Bend, or foot-bridge in the City of Bend.

Section 5. Every person riding or operating a bicycle on any street, alley or public place in the City of Bend shall keep said bicycle

on the extreme right of the traffic lane, and it shall be unlawful for two or more operators of bicycles to travel abreast on any street, alley or public place in the City of Bend or to operate said bicycles on traffic lanes otherwise than in single file.

Section 6. Every person riding or operating a bicycle on any street, alley or public place in the City of Bend shall be subject to all provisions of the laws of the State of Oregon and the Ordinances of the City of Bend, applicable to the drivers of vehicles, except the provisions thereof that by their very nature can have no application.

Section 7. It shall be unlawful for any person or persons to run or engage or cause to run or be engaged in any bicycle race on any street, alley or public place within the corporate limits of the City of Bend, except under permit from and under the supervision of the Chief of Police of said City.

Section 8. Any person who shall violate any of theprovisions of this Ordinance shall upon conviction thereof in the Municipal Court of the City of Bend, be punished by a fine of not more than $100.00, or by imprisonment in the City Jail for not more than ten days, or by both such fines and imprisonment, and in addition to such penalty, the Municipal Judge may in lieu of or in addition to such fine and imprisonment, prohibit the operation upon the streets, alleys and public places of the City of Bend for a period not to exceed 90 days of the bicycle so used in such violation, and in which event the bicycle so used in such violation shall be impounded with the Cheif of Police, and retained by him for the period that the operation thereof is prohibited, and in addition thereto, the Municipal Judge may in his discretion likewise, prohibit the person convicted of violating this Ordinance, from operating any other bicycle during the time the said bicycle, out of which a violation of this Ordinance was brought about, is impounded.

Section 9. In as much as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, that at the present time bicycles are being operated upon sidewalks, and other walks exclusively intended for use of pedestrians, and that such use of said walks of pedestrians ways by said bicycles and bicycle riders is greatly endangering the life or lives of pedestrians and such practice should be stopped immediately, an emergency is therefore, hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time, August 18, 1937.
Read for the second time, September 1, 1937.
Put upon its Passage September 1, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 1st day of September, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N. S. 236.

An Ordinance to amend Section 2 of article 12 of Ordinance N.S. 140, and further amending Ordinance N. S. 140, by amending Section 1 of article 21 thereof, as amended by section 1of article 21 of Ordinance N. S. 147, as amended by section 1 of article 21 of Ordinance N. S. 161, as amended by section 1 of article 21 of Ordinance N. S. 164, as amended by section 1 of article 21 of Ordinance 180, as amended by section 1 of article 21 of Ordinance N. S. 186, and as amended by section 1 of article 21 of Ordinance N. S. 213; The same being an Ordinance regulating private business and licensing the same and providing a penalty for the violation thereof.

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THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 2 of Article 12 of Ordinance N. S. 140, be and the same hereby is amended to read as follows:

Section 2. That application for such licenses shall be made in writing to theCity Commission and such application shall contain a list of the attractions proposed to be shown, stating the location of the said show and the dae or dates it is intended to hold the same. The City Commission shall consider said application and either allow or disallow the same; if the application is allowed the said City Commission shall then fix the license fee to be charged the said applicant.

That Section 1 of Article 21 of Ordinance N. S. 140, as amended by section 1 of Article 21 of Ordinance N. S. 147 as amended by Section 1 of Article 21 of Ordinance N. S. 161 as amended by Section 1 of Article 21 of Ordinance N. S. 164, as amended by section 1 of Article 21 of Ordinance N. S. 180, as amended by Section 1 of Article 21 of Ordinance N. S. 186 as amended by sectionl of Article 21 of Ordinance N. S. 213, be and the same hereby is amended to read as follows:

Section 1. The fees for all licenses as provided by this Ordinance shall be as follows:

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Billiards, Card and/or Pool rooms, for each table over one, per quarter	2.50
Bowling Alleys, for each Alley per quarter or fraction thereof	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class 1, per day, or fraction thereof	4.00
" Class 11, per day, or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses per year.. or fraction thereof	5.00
Second Hand Dealers, per quarter or fraction thereof	2.50
Junk Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat per quarter or fraction thereof	.02
Milk Dealers, per year, distributing less than 25 quarts pe day	1.00
From 25 to 50 quarts per day	3.00
From 50 to 100 quarts per day	5.00
From 100 to 300 quarts per day	8.00
From 300 to 500 quarts per day	12.00
From 500 to 700 quarts per day	25.00
From 700 to 900 quarts per day	37.50
From 900 quarts, upward, per day	50.00
Peddlers, per day, Class 1, (Any fraction of a day is a day)	3.00
Class 11,	5.00
Class 111,	7.50
Class IV	10.00
Class V,	15.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesmen, per day of fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	10.00
Vehicles, for Hire, per year or fraction thereof	10.00
Transient Merchants, per month or fraction thereof	100.00
Wood Saws, per annum	25.00
Circus, each performance	100.00
Carnivals, fees to be fixed by Cit y Commission at time of approval of application.	
Operatic and Dramatic Shows, per day	20.00
Auctioneers, Special, per day	25.00
Auctioneers, General,per day	5.00

Section 1-A. That whereas the license fee and the manner of securing permission by applicants, who desire to conduct carnivals in the City of Bend, are entirely out of harmony with the desires and wishes of such applicants, and such applicants are able to establish their shows immediately adjacent and on the outside of the City Limits where no license fee will be paid or Police regulation of said show had, therefore this Ordinance is necessary for the immediate preservation of the public health , peace and safety of the City of Bend in this:

that if the said shows should be established outside theCity limits and immediately adjacent thereto, there would be no police regulation of the same and such regulation is necessary, therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and affect from and after its passage by the Commission and approved by the Mayor.

Read for the first time, August 18, 1937.
Read for the second time, September 1, 1937.
Put upon its passage, September 1, 1937.

Yeas 3
Nays 0

Submitted to and approved by the Mayor this 1st day of September, 1937.

F. S.Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE NO. N.S. 237

An Ordinance governing the installation and operation of oil burning equipment, including stove or range oil burners and oil storage in connection therewith, providing for a license fee for such installation and inspection, designating such inspector and providing a penalty for the violation hereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the City of Bend hereby adopts the suggested Ordinance regulating oil burning equipment, stove or range oil burners as endorsed by American Oil Burners Association and Distillate Burner Manufacturers Association and adopted by the National Fire Protection Association and the National Board of Fire Underwriters, hereby adopting said suggested Ordinance in full, relating to such regulations, installations, etc., as the same are applicable to the City of Bend and as contained in the pamphlet attached hereto, which said pamphlet is referred to and made a part of this Ordinance.

Section 2. That the approval of oil burning equipment described in Section 2 shall be approved by the Chief of the Fire Department of the City of Bend and that certificate of such approval may be revoked by the City Commissioners as provided in said Section 2. That any and all such installations shall be done in accordance with the said Ordinance, rules and regulations as now adopted or which may hereafter be adopted.

Section. 3. That the application for issuance for certificate of approval described in Section 3 shall be made to the Recorder of the City of Bend and that Paragraph B of said Section shall require the Chief of the Fire Department to test said installation before such a certificate of approval shall be issued.

Section 4. That the installations provided for in Section 4 shall be reported to the Recorder of the City of Bend.

Section 5. License Fees. A license fee shall be charged for each installation in the sum of $1.00 for stoves and $2.50 for other equipment, which shall be paid to the Recorder of the City of Bend, and permit issued before such installation shall be made.

Section 6. It shall be unlawful for any person, firm or Corporation to install any oil burning equipment unless they shall have been issued a license so to do as herein provided for, and it shall likewise be unlawful for any oil burning equipment to be put in use before a certificate of approval has been received from the Chief of the Fire Department of the City of Bend.

Section 7. In as much as the City of Bend at this time have no Ordinance regulating the installation of oil burners of any name or nature or the installation of the oil storage tanks for operation of said oil burners and in view of the fact that unless such oil burners and storage

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tanks are installated according to approved methods, the same are likely to increase fire hazards and in order to eliminate any possible chance of such fire hazards, and in view of the fact that a number of oil burners and storage tanks in connection therewith, have been installed recently and others are about to be installed, it is necessary that such fire hazards be eliminated and such eliminations are necessary for the immediate preservation of the public health, peace and safety of the City of Bend, therefore, an emergency is hereby delcared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approved by the Mayor.

Read for the first time September 15th. 1937.

Read for the second time October 6th., 1937.

Put upon its passage October 6th., 1937

Submitted to and approved by the Mayor this 6th., day of October, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
City Recorder of the City of Bend

ORDINANCE NO. N.S. 238.

An Ordinance specifying the hours of night after which it shall be unlawful for any person, either as a foot passenger or by operation of an automobile or other vehicle, to be on any public walk, public thoroughfare or any grounds within the City of Bend, providing the means for the enforcement thereof, providing a penalty for the violation of this ordinance and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person to be on any street, alley, side walk, public grounds or any other grounds within the City of Bend, either as a pedestrian, or in an automobile or other vehicle, after the hour of one o'clock A.M. and before five o'clock A.M., unless the business or employment of such person makes it necessary that he or she be on said grounds, alleys, side walks or public ways, during the hours specified and prohibited herein.

Section 2. Any person violating the provisions of this Ordinance shall, upon conviction thereof be punished by a fine of not more than $100.00 or 100 days in jail, or both such fine and imprisonment.

Section 3. In as much as there are various and numberous persons roaming about the City of Bend during the hours prohibited by this Ordinance and such persons requiring the attention of a Police Officer, in determining their business, if any they have for keeping such hours, in order to facilitate more adequately the Police supervision of the City of Bend, an emergency is therefore, hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and its approval by the Mayor.

Read for the first time, December 1, 1937.
Read for the second time, December 15, 1937.
Put upon its passage, December 15, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 15th day of December, 1937.

F. S. Simpson
Mayor

ATTEST:
L. G. McReynolds
City Recorder.

ORDINANCE N.S. 239.

An Ordinance to amend Ordinance N.S. 212 as amended by Ordinance 220 and as amended by Ordinance N.S. 222, being an Ordinance to license, tax and regulate certain games and mechanical devices used therein, designated pin ball games and prohibiting the use of dart games and other games of like character, involving an element of skill by amending Section 10 of said Ordinance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 10 of Ordinance N.S. 212 be and the same hereby is amended to read as follows:

"SECTION 10. That the game designated as a dart game and other games of like character involving an element of skill and described in Chapter 369, of the 1935 laws of the State of Oregon, are hereby prohibited, but that any other game or games where, in the discretion of the City Commission, an element of skill is involved, and the City Commission authorizes the licensing of the same, that the said other game or games may be operated when so licensed and that the license fees therefore shall be the same license fees as is provided for pin ball games and that said machines, apparatus or games, and the manner of securing a license therefor, shall be governed by all of the rules and regulations made applicable to the said pinball games where the same will apply."

Section 12. In as much as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, that at the present time there are other games operating or proposed to be operated differing from pin ball games, which should be licensed and regulated and in order to so license and regulate such other games, it is necessary that this Ordinance go into effect as soon as possible, an emergency is therefore, hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time December 1st, 1937.
Read for the second time December 15th.,1937.
Put upon its passage December 15th, 1937.

Nays 0

Yeas 3

Submitted to and approved by the Mayor this 15th., day of December, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 240.

An Ordinance defining shooting galleries and providing for the regulation, operation and licensing of shooting galleries: Providing a penalty for the violation hereof, repealing Article 13 of Ordinance N.S. 140 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. DEFINITION OF SHOOTING GALLERY: Shooting Galleries shall be divided into two classes as follows:

CLASS A. Is a shooting gallery where the manner of operation consists of shooting at a target, where a prize or money jack-pot may be obtained, depending upon the skill and accuracy of the person doing the shooting, such shooting gallery is one consisting of a metal contraption tank or box, wherein is located a target consisting of a paper on which figures or letters are set out as the particular target to be shot at, the said tank or box usually being ten or twelve feet long, wholly incased in metal and

and that such metal construction of said tank or box shall be of at least 16 gage steel; that all shots fired, be fired in the said tank or box and the point or end of said tank or box at which the bullets are shot or are permitted to strike shall be sufficiently protected so that bullets so fired can not pass through said tank or box.

The manner of operating said Class A shooting gallery is to be as follows: The operator or operators thereof shall place a sum of money in a fund which shall hereafter be referred to as the jack-pot; that the said jack-pot shall be increased by 20 per cent of the moneys expended by the person doing the shooting and that when the accuracy of the person doing the shooting is such that within a given number of shots, he shall have qualified for the jack-pot; the said jack-pot shall be turned over to him and a new jack-pot started; that the amount of said jack-pot shall always be exhibited and visible to the person doing the shooting, so that he knows the amount of the same; that the said jack-pot may be raised by the owner or operator of said shooting gallery but that the same can not be depleted by him or them, as long as said jack-pot is $100.00 or less. It being within the discretion of the operator, or operators to cease adding to or increasing said jack-pot after the same has reached $100.00. That the cards used in said Class A shooting gallery shall be purchased from the City of Bend and no other cards shall be used in said machine other than those so obtained and cards once so purchased from the City of Bend shall not be transferable by the party purchasing the same and no refund thereon shall be made by the City of Bend in case the said cards are not used by the party or parties purchasing the same; that said cards be numbered consecutively as the Recorder of the City of Bend may designate and that each of said cards shall be identified by the City Recorder. That said cards furnished by the City of Bend shall be purchased from the said City at a cost of 10 per cent of the gross shooting value thereof, which said sum shall be paid to the Recorder of the City of Bend at the time the said cards are delivered to the operator or operators and such cards shall be used beginning with the smallest number and continue thereafter consecutively.

CLASS B. A Class B shooting gallery shall be every other place or building where guns or pistols are kept for shooting at targets, whether for hire or not but for the purpose ofthis Ordinance shall be considered a shooting gallery and that such Class B shooting gallery shall have no jack-pot.

Section 2. No person shall discharge any fire arm in any shooting gallery within the City of Bend where thenoise resulting therefrom can be heard further than a distance of 300 feet from such shooting gallery and all shooting galleries must be securely enclosed in such manner that persons outside thereof shall not be endangered in any way by the discharge of fire arms therein.

Section 3. LICENSE FEES. That the license fees for a Class A shooting gallery shall be ten per cent of the gross receipts obtained by the operators thereof, payable in advance by and through the purchase of the cards described in Section 1 hereof.

That the license fees for a Class B shooting gallery shall be $15.00 per quarter or fraction thereof, payable in advance andno refund will be made for any unused portion of a license once paid.

Section 4. It shall be unlawful for any person, firm or corporation to use any unfair or questionable methods in operating a shooting gallery, or conduct a shooting gallery as hereinbefore defined within the City limits of the City of Bend, without first securing a license therefore from the Recorder of the City of Bend so to do.

Section 5. PENALTY. Any person or persons violating any of the provisions of this Ordinance shall upon conviction thereof, be punished by a fine not to exceed $300.00 or be imprisoned in the City Jail for not more than Ninety days or by both such fine and imprisonment in the discretion of the Municipal Judge, and in addition thereto, the operator's license may be revoked, either temporarily or permanently.

Section 6. That Article 13, of Ordinance N.S. 140 be, and the same hereby is repealed.

Section 7. Inasmuch as there is no Ordinance at the present time regulating Class A shooting galleries as herein defined and inasmuch

as the Ordinance herein is required for the immediate preservation of the public health and peace of the City of Bend, and an emergency is therefor, hereby declared to exist and this Ordinance shall be in full force and effect immediately from and after its passage by the Commission and approval by the Mayor.

Read for the first time, November 17, 1937.
Read for the second time, December 15, 1937.
Put upon its passage, December 15, 1937.

Yeas 3

Nays 0

Submitted and approved by the Mayor this 15 day of December, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 241.

An Ordinance regulating the construction of awnings within the City of Bend, providing a license fee therefor, a penalty for the violation thereof, and repealing Ordinances N.S. 119 and Ordinance N.S. 210.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. All awnings, on any building within the city limits, shall be constructed and erected in accordance with the provisions of this Ordinance.

Section 2. Awnings shall not be placed less than six and one-half feet above the sidewalk, provided that in cases where the framework of the awning is not less than seven feet above the sidewalk, it shall not be deemed a violation of this Ordinance if a flexible flap or fringe shall extend six inches below said framework.

Section 3. The outer edgeof all metalic awnings, commonly known and called as "Marquise", hereafter constructed in the City of Bend shall be at least two feet inside the curb line.

Section 4. Any person, firm or corporation putting an awning on any building within the City shall make application to the Recorder for a permit therefor; which application shall state the size of the awning, kind and distance to be placed above the sidewalk, and when the showing so made shall conform to the provisions of this Ordinance, the Recorder shall issue to such person, firm or corporation, a permit to put up such an awning, upon payment of a license fee of $1.00.

Section 5. It shall be the duty of the Chief of Police to immediately notify all owners of awnings within the city, which do not conform to the requirements of this Ordinance, to replace, readjust or remove such awnings within thirty days from notification.

Section 6. Any person violating any of the provisions of this Ordinance, shall upon conviction thereof be punished by a fine of not more than One Hundred Dollars, or by imprisonment in the City Jail for not more than thirty days, or by both such fine and imprisonment.

Section 7. Ordinances N.S. 119 and N.S. 210 are hereby repealed.

Read for the first time, December 15, 1937.
Read for the second time, December 29, 1937.
Put upon its passage, December 29, 1937.

Yeas 3

Nays 0

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Submitted to and approved by the Mayor this 29th day of December, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 242.

An Ordinance to amend Section 1 of Ordinance N.S. 111, being an Ordinance regulating the construction, erection, raising, lowering, altering, repairing and use of buildings, and to provide for the protection against fire, and to definitely establish the fire limits of the City of Bend, and providing a penalty for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Any person, firm, company or corporation desiring to construct any buildings in the City of Bend, or to lower, raise, alter or repair any building or structure, including wooden buildings, before commencing such work shal l file with the Recorder a copy of the plans and specifications of such proposed construction, raising, lowering, altering or repairing, as the case may be, and shall present therewith an application, in writing, for permission to do such work. Such application shall designate the location of such building or proposed structure, and with the plans and specifications shall be referred to the building inspector by the recorder. If the plans and specifications be for the construction of a building and the building inspector shall find the same to comply with the terms of this Ordinance, he shall endorse his approval thereon, and if the plans and specifications be for the raising, lowering, altering or repairing of a building, he shall endorse his approval thereon, provided, that such plans and specifications do not show that the work to be done is of a character calculated to increase its inflamability, sanitation or amount to a substantial rebuilding of the same or increase the fire risk to adjacent property. Permission shall be withheld in all cases where the building or structures, proposed to be altered, raised, low ered or repaired, as aforesaid, is supported by an unsubstantial foundation, or where its roof, frame, walls, or studding have become impaired or decayed from long use, neglect, exposure or damage by fire or otherwise, to the extent of at least 40%of the cost of erection and construction of a new building or structure, of identical character of such building. A separate permit shall be required for each building and the Recorder shall keep a record of such permits, and report the number issued each month, such report to be made to the City Commission at its first regular meeting of each month. The Recorder shall, before issuing any building permit, collect the following fees from the party or parties to whom such permits are issued;

$1.00 for each permit where the cost of the proposed building does not exceed $500.00.
$1.50 where the cost exceeds $500.00 but does not exceed $1000.00.
$2.50 where the cost of the proposed building exceeds $1000.00 and does not exceed $2000.00.
$3.50 where the cost of the proposed building exceeds $2000.00 and does not exceed $3000.00.
$5.00 where the cost of the proposed building exceeds $3000.00 and does not exceed $5000.00.
$15.00 where the cost of the proposed building exceeds $5000.00

Read for the first time, December 15, 1937.
Read for the second time, December 29, 1937.
Put upon its passage, December 29, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 29th day of December, 1937.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend

F. S. Simpson
Mayor.

ORDINANCE N.S. 243.

An Ordinance to amend Article XI of Ordinance N.S. 140, as amended, being an Ordinance regulating private business and licensing the same, providing for a penalty for the violation thereof, repealing any and all Ordinances or parts of Ordinances in conflict herewith and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Article XI of Ordinance N.S. 140 be, and the same hereby is amended to read as follows:

ARTICLE XI
MOVING PICTURE SHOWS

Section 1. It shall be unlawful for any person, firm or corporation to operate or conduct a moving picture show within the City of Bend without first having obtained a license so to do from the Recorder of the City of Bend.

Section 2. The Recorder of the City of Bend shall issue, to any person applying therefor, a license, upon the payment of the fee hereinafter set forth, to-wit:

Moving picture shows where no bank night is conducted or operated, per seat per quarter or fraction thereof----------.02.

Moving picture shows operating and conducting what is known and designated as "Bank Night" or similar methods or manner of operating per seat per quarter or fraction thereof, two cents, and $5.00 per night for each and every theatre when the said "Bank Night" method is so conducted, payable quarterly in advance on January 1, April 1, July 1, and October 1, of each year. No license shall be granted for less than on a quarterly basis, except when first applying the licensee shall pay for the balance of any quarter in which application is made, and license fees once paid shall not be refunded.

Section 3. Inasmuch as the City of Bend, at this time, has no provision for licensing theaters operating what is commonly now known as "Bank Night" or similar methods or manner of operating moving picture shows and inasmuchas such shows are now being operated within the City of Bend, it is therefore deemed necessary that an Ordinance be enacted and go into effect as soon as possible.

Therefore an emergency is hereby declared to exist for the purpose of preserving the peace, health and safety of the City of Bend, and this Ordinance shall become immediately effective upon its passage by the Commission and its approval by the Mayor.

Read for the first time, December 1, 1937.
Read for the second time, December 29, 1937.
Put upon its passage, December 29, 1937.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 29th day of December, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

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ORDINANCE N.S. 244.

An Ordinance to amend Article 18 of Ordinance N.S. 140 as amended by Ordinance N.S. 172, and as amended by Ordinance N.S. 232, by adding a new section to said Ordinance N.S. 232, which section shall be known as section 13 and further amending said Ordinance N.S. 140 by amending section one of article 21 thereof as amended by section one of article 21 of Ordinance N.S. 143; as amended by section one of article 21 of Ordinance N.S. 147, as amended by section one of article 21 of Ordinance N.S. 161, as amended by section one of article 21 of Ordinance N.S. 164, as amended by section one of article 21 of Ordinance N.S. 180, as amended by section one of article 21 of Ordinance N.S. 186, as amended by section one of article 21 of Ordinance N.S. 213, and as amended by section one of article 21 of Ordinance N.S. 236, the same being an Ordinance regulating private business and licensing the same and providing a penalty for the violation thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That article 18 of Ordinance N.S. 140, as amended by Ordinance N.S. 172 and as amended by Ordinance N.S. 232, be and the same hereby is amended by adding a new section thereto, which section shall be known as section 13.

Section 13. All other persons, firms or corporations who sell or deliver wood in the City of Bend, save and except a regular farmer whose principal business is farming and who cuts wood for sale and sells the same within the City of Bend off his own farm, where he resides or does his farming, shall pay a license fee of $7.50 per year or any fractional year, so operating.

That section one of article 21 of Ordinance N.S. 140 as amended by section one of Article 21 of Ordinance N.S. 143, as amended by section one of article 21 of Ordinance N.S. 147, as amended by section one of article 21 of Ordinance N.S. 161, as amended by section one of article 21 of Ordinance N.S.164, as amended by section one of article 21 of Ordinance N.S. 180, as amended by section one of article 21 of Ordinance N.S. 186, as amended by section one of article 21 of Ordinance N.S. 213, and as amended by section one of article 21 of Ordinance N.S. 236, be and the same hereby is amended to read as follows:

Section 1. The fees for all licenses as provided by this Ordinance shall be as follows:

Astrologers, etc., per day	$100.00
Billiards, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Billiard, Card and/or Pool Rooms, for each table over one, per quarter	2.50
Bowling Alleys, for each Alley per quarter or fraction thereof	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class 1, per day, or fraction thereof	4.00
Hawkers, Class 11, per day, or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming houses per year or fraction thereof:	
Hotels with meals	15.00
Hotels without meals	10.00
Lodging and rooms	5.00
Ice Cream Wagons, per week	10.00
Second Hand Dealers, per quarter or fraction thereof	2.50
Junk Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat per quarter of fraction thereof.	.02
Milk Dealers, per year, distributing less than 25 quarts per day	1.00
From 25 to 50 quarts per day	3.00
From 50-100 quarts per day	5.00
From 100 to 300 quarts per day	8.00
From 300 to 500 quarts per day	12.00
From 500 to 700 quarts per day	25.00
From 700 to 900 quarts per day	37.50
From 900 quarts, upward, per day	50.00
Peddlers, per day, Class 1, (Any fraction of a day is a day)	3.00
Class II	5.00
Class III	7.50

Class IV	$ 10.00
Class V	15.00
Shooting Galleries per quarter or fraction thereof	10.00
PhotographSalesmen, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	15.00
Garbage Trucks per quarter or fraction thereof	7.50
Vehicles for Hire, per year or fraction thereof	10.00
Taxi with street stand	25.00
Taxi without street stand	15.00
Transient Merchants per month or fraction thereof	100.00
Wood Saws, per annum	25.00
Circus, each performance	100.00
Carnivals, fees to be fixed by City Commission at time of approval of application.	
Operatic and Dramatic Shows, per day	20.00
Auctioneers, Special, per day	25.00
Auctioneers, General, per day	5.00

Section 1-B. That whereas the license fees on some of the various industries should be changed due to the fact that certain, thereof, that such license fees should be raised, therefore this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this: That beginning with January 1, 1938, said license fees should be effective as established therein, therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time December 15, 1937.
Read for the second time, December 29, 1937.
Put upon its passage, December 29, 1937.

Yeas 3.

Nays 0.

Submitted to and approved by the Mayor this 29th day of December, 1937.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 245.

An Ordinance to regulate the registry of dogs, to provide for the taking up, impounding and killing of dogs not properly licensed, providing for the licensing of all dogs and regulating and prohibiting dogs from running at large at certain seasons; providing for the execution of a contract with the County Court and the employment of a deputy charged with the enforcement of this Ordinance and providing for a penalty for the violation hereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person, owning or having charge, care or control of any dog, male or female, over the age of eight months, within the corporate limits of the City of Bend, unless there shall be attached to such dog, a collar on which there shall be a tag with an appropriate number, to be obtained from or through the County Clerk of Deschutes County, Oregon or the Recorder of the City of Bend, as hereinafter provided, and it shall be unlawful for any person to imitate or counterfeit such tag and place the same on any such dog within the City of Bend, and in no case shall any dog or pup, regardless of age, be permitted to run at large within the limits of the City of Bend during the time from March 20 to June 30, both dates inclusive, of any year.

Section 2. The City Manager is hereby empowered, to make application to the County Court of Deschutes County, Oregon, for an agreement between said Court and the City of Bend whereby such City of Bend shall undertake

to diligently enforce the collection of licenses imposed under this Ordinance within the City Limits of the City of Bend and in a manner which shall not conflict with the laws of the State of Oregon as now in force.

Section 3. It shall be the duty of the Chief of Police, or any person whom the City Manager may appoint as deputy Pound Master to carry out the provisions of this Ordinance, and to cause any dog found running at large, or upon the streets of the City, not having a collar around his or her neck with such tag as is in this Ordinance provided, to be taken up and impounded, and if such dog shall not be redeemed as hereinafter provided within seven days after the impounding thereof, it shall be the duty of the Chief of Police, or such deputy Pound Master, to sell, or cause to be sold such dog, or kill or cause to be killed such dog, and have the same buried outside the limits of the City. The Chief of Police or deputy Pound Master shall receive from any person, any dog running at large, contrary to the provisions of this Ordinance, and all dogs, whether taken by said Chief of Police or deputy Pound Master, or delivered to them, shall be safely restrained by them. If any impounded dog be not reclaimed by the owner thereof, within seven days such dog shall be offered for sale by the officer having such dog in charge, and if no bid is made for such dog at such sale, such dog shall be killed and buried. If sold the proceeds of such sale shall be paid to the City Treasurer and by him deposited in the General Fund. No dog so impounded shall be delivered to the owner or purchaser thereof until a tag is purchased for said dog and a pound fee of $1.00 plus ten cents per day for keeping such dog during the time it has been impounded, is paid to the City Treasurer, provided that in case where a dog has been impounded for which the owner has purchased a tag and attached the same to a collar and the same has been lost or stolen, on proof thereof, such dog shall be released upon a substitute tag being attached. Immediately after taking up any dog as provided for herein the Pound Master shall use his best efforts to ascertain the person entitled to the possession of such dog and if ascertained shall thereupon notify him of the impounding of the same. In case any impounded dog shall not be claimed by any person within two days after he shall have received notice of such impounding, or in case the pound master, after diligent search and inquiry, is unable to locate such person, the pound master shall, not less than seven days after the impounding of said dog, sell the same at public auction to satisfy the costs and expenses of impounding and keeping said dog, and before selling any such dog or before any such dog shall be killed as hereinbefore provided for, the pound master shall give notice thereof by at least one publication in a newspaper published in the City of Bend, at least five days before such sale, or before said dog shall be killed. Said notice shall contain a brief description of the animal, provided, however, that a reasonably accurate description of the said dog will be sufficient.

Section 4. The tag to be attached to the collar of the dog as herein provided for shall be obtained by the owner from the County Clerk of the County of Deschutes, State of Oregon, or from his duly authorized deputy, or from the Recorder of the City of Bend, and the fee, or charges to be collected annually from the owner in a sum not greater than $2.00 for each male or each spayed bitch dog, and not greater than $3.00 for each female dog over the age of eight months, and that such fees and charges shall be annual fees based on a year, or any fraction thereof, ending December 31st.

Section 5. Any person owning or having charge, control or care of any fierce, dangerous or mischievous dog shall, when ordered so to do by any Police Officer, securely muzzle said dog before permitting it to run at large within the City limits, and in case of failure to forthwith obey orders of such officer, such person shall be deemed guilty of a violation of this Ordinance.

Section 6. It shall be unlawful for any person or persons to hinder or molest any person, or persons, engaged in seizing or killing any dog, in conformity with the provisions of this Ordinance, or to release any dog when impounded with the authority of such Chief of Police or Deputy Pound Master.

Section 7. No mad dog, or female dog in time of heat, shall be permitted to run at large within the City limits, and it shall be unlawful for any person to kill any mad dog running at large, whether it is wearing a license or not, provided, however, that any person killing such dog shall immediately notify the health officer of the City, who shall immediately take charge of the body and examine the head thereof for rabies, and

if such examination fails to disclose that such dog was mad, the person killing it shall not be protectedby the provisions of this section, and any owner allowing a mad dog, or female dog in heat, to run at large shall be guilty of a violation of this Ordinance and punished accordingly.

Section 8. Any person or persons violating the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than Fifty Dollars, or by imprisonment in the City Jail for not more than twenty days, or by both such fine and imprisonment.

Ordinance N.S. 189,190,231, and 234 are hereby repealed.

Read for the first time, January 5, 1938.
Read for the second time, January 19, 1938.
Put upon its passage, January 19, 1938.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 19th day of January, 1938.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 246

An Ordinance to amend Ordinance N.S. 178 as amended by Ordinance N.S. 211; as amended by Ordinance N.S. 225 and as amended by Ordinance N.S. 226, being an Ordinance regulating and limiting the rate of speed of vehicles on the streets, alleys and public places of the City of Bend, defining the terms park and parking and regulating the parking of vehicles on the streets and alleys of the City of Bend, providing for the placing of stop signs and regulating vehicular traffic at stop signs; prohibiting U or reverse turns on certain streets and providing a penalty for the violations thereof, by amending said Ordinance by adding two new sections thereto, which shall be known as Section 11-A and Section 11-B

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Ordinance N.S. 178, as amended by Ordinance N.S. 211; as amended by Ordinance N.S. 225 and as amended by Ordinance N.S. 226, be and the same hereby is amended by adding two new sections thereto to be known as Sections 11-A and 11-B.

Section 11- A That it shall be unlawful for any person to operate a motor vehicle of any description on or over South 3rd. Street, between Miller Avenue and the South City limits and on or over North First Street and Tumalo Road, between Seward Avenue, if extended, and the North City limits, at a greater rate of speed than 35 miles per hour, and it shall be unlawful for any person to operate a motor vehicle of any description on or over East Greenwood Avenue, between East 5th. Street and the East City limits, at a greater rate of speed than 45 miles per hour.

Section 11-B. It shall be unlawful for any person or persons to park any motor vehicle upon any of the streets or a lleys, or portions thereof, leaving the same unattended for a period of three days or longer, or to park any motor vehicle upon any vacant property, located in the City of Bend, leaving the same unattended for a period of ten days or longer, and any Police Officer is hereby authorized and directed to move or cause to be moved, any motor vehicle found upon any of the streets or alleys or any portions thereof of the City of Bend, or upon any vacant property, located therein. When it appears to the said Police Officer that said motor vehicle has been abandoned or permitted to so remain for a period of at least ten days without the same being moved or attended by its owner or personally lawfully in charge thereof and the said Police Officer is authorized and directed to so move said vehicle or cause the same to be

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moved and placed in charge of a garage operator or another person for the purpose of storing the same and that any and all charges for towage and storage, or either thereof, shall be a lien against said motor vehicle and that the garage or person towing and storing the said motor vehicle shall have a right to sell and dispose of the said motor vehicle for such storage and towage charges, or either thereof, on and after thirty days from the date of such storage and that sale thereof shall be held and conducted in accordance with Chapter 5 of the Oregon code, of Title 51, being Sections 51-501 to and including Sections 51-507, as the said Code sections have been amended or may hereafter be amended and as may be authorized by any other laws of the State of Oregon, either in existence at this time or which hereafter may be promulgated.

Section 11-C. Inasmuch as the City of Bend at this time has no Ordinances increasing the rate of speed permissible on the various highways leading into the City of Bend and inasmuch as such highways are partially settled and a higher rate of speed, than the ordinary 25 miles per hour, could be maintained in safety and inasmuch as the City of Bend has no Ordinance at this time regulating the disposition of motor vehicles left in streets and alleys and on vacant property, and inasmuch as there are now motor vehicles standing in the streets and alleys and vacant property in the City of Bend, unattended and abandoned, an emergency is therefore, hereby declared to exist and this Ordinance shall become immediately effective on its passage, by the City Commission and its approval by the Mayor.

Read for the first time, January 5, 1938.
Read for the second time, January 19, 1938.
Put upon its passage, January 19, 1938.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 19th day of January, 1938.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 247.

An Ordinance repealing Ordinance N.S. 148 and Ordinance N.S. 159.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinances N.S. 148 and N.S. 159 be, and the same hereby are repealed.

Section 2. Inasmuch as Ordinance N.S. 148, as amended by Ordinance N.S. 159 provided for certain regulations before a gasoline filling station can be installed, and inasmuch as it is the desire of the City of Bend to permit construction of filling stations without complying with the regulations outlined in said Ordinance as amended, and inasmuch as there are at the present time several proposed filling stations to be constructed without delay, it is necessary that this Ordinance become effective immediately in order to permit such construction, and this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, therefore an emergency is hereby declared to exist and this Ordinance shall become effective and be in full force from and after its passage by the Commission and approval by the Mayor.

Read for the first time, February 2nd, 1938.
Read for the secondtime, February 16th, 1938.
Put upon its passage February 16th, 1938.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 16th. day of February, 1938.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N. S. 248.

An Ordinance regulating and licensing novelty machines and other devices and games operated as amusement games only, providing a penalty for the violation hereof and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. DEFINITION OF THE TERM "PERSON". The word Person wherever used in this Ordinance shall mean and apply to persons, firms, individuals or corporations.

Section 2. DEFINITION OF THE TERM "NOVELTY MACHINE". By a novelty machine shall be meant any device, machine or mechanism operated for pleasure or amusement only, where a coin or slug is inserted or deposited for the purpose of permitting the depositor to so play or operate the same under conditions such as do not constitute gambling or a lottery.

Section 3. DEFINITION OF THE TERM "OTHER DEVICES AND GAMES". By any other devices and games is meant and herein described to be any other device not covered by Section 2, an which the City Commission may authorize to be operated by issuing a license therefore upon application and under conditions hereinafter enumerated: the same to be operated under conditions such as do not constitute gambling or a lottery.

Section 4. Any of the devices or games or machines described in Section 2 hereof shall pay a license fee of $20.00 per month, payable monthly in advance, on the first day of each and every month, and any license fee so paid shall not be refunded.

Any license, device or apparatus described in Section 3 hereof, shall pay a license fee of $20.00 per month, payable on the first day of each and every month, and any license fee so paid shall not be refunded.

Section 5. That licenses provided for herein shall be obtained by the person desiring to obtain such a license to operate or maintain such device, game or apparatus, by making application therefore to the Recorder of the City of Bend, describing the machine, apparatus or device to be licenses, stating where the same is to be so operated or maintained, which application shall be accompanied with the license fee hereinbefore provided for. Said application shall be investigated by the City Commission and if approved, the Recorder of the City of Bend shall issue a license therefore. If the said application is disapproved by the City Commission, the license fee accompanying said application shall be returned to the applicant.

Section 6. That it shall be unlawful to operate any of the games, devices or apparatus hereinbefore described unless a license has been issued therefore.

Section 7. Upon the approval of such application as hereinbefore provided for, the Recorder of the City of Bend shall issue to such applicant a sticker license, which shall be securely pasted by the applicant on each such machine during the period for which the same is licensed and such license so issued shall not be transferred from one machine to another and it shall be unlawful for any person to display any such machine in his place of business upon which any such license is not attached as herein provided for and it shall be the duty of the Chief of Police to seize any such machine upon which no license is attached and such machine shall be subject to confiscation by the City of Bend.

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Section 8. It shall be unlawful for any person to suffer, allow or permit any individual under the age of 21 years to operate, play or manipulate any game, machine or device provided for herein.

Section 9. All machines involving an element of chance or which violates the gambling or lottery laws of the State of Oregon are hereby prohibited.

Section 10. Any person violating any of the provisions of this Ordinance shall, upon conviction thereof in the Municipal Court of the City of Bend, be punished by a fine not exceeding $200.00 or by imprisonment in the City Jail for a period not to exceed 100 days, or by both such fine and imprisonment, and further; any game, machine or device as herein described, which shall be operated or displayed for operation without a license, or where such licensee shall violate any of the provisions of this Ordinance, shall in the discretion of the Municipal Judge be ordered confiscated in addition to the penalties hereinbefore imposed.

Section 11. That Ordinances N.S. 212, N.S. 220, N.S. 222, and N.S. 239 be, and the same hereby are repealed.

Section 12. Inasmuch as the City of Bend has no Ordinance regulating and licensing games,machines, devices, and mechanisms as in this Ordinance described, and inasmuch as such machine should be regulated, this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, an emergency is therefore, hereby delcared to exist and this Ordinance shall become immediately effective upon its passage by the City Commission and its approval by the Mayor.

Read for the first time, February 2nd, 1938.
Read for the second time, February 16th, 1938.
Put upon its passage, February 16th, 1938.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 16th day of February, 1938.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N. S. 249.

An Ordinance providing for the removal of obstructions on sidewalks, cleanliness of streets, alleys and premises within the City of Bend, repealing Ordinamce N.S. 103, declaring an emergency and providing a penalty for the violation hereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. No person or persons shall allow any empty boxes, barrels, rubbish, trash, waste paper, excelsior, or other like combustible matter, to be placed upon any side-walk, alley or street.

Section 2. No person or persons shall be allowed to place ashes in any box, barrel, or other woolen container in any building.

Section 3. No person shall keep, or permit to be kept on the premises, any oily waste or oily rags, unless at all times when not actually in use, such waste or rags be kept in a metal can, standing on metal legs that raise the bottom of the container or can at least five inches above the floor.

Section 4. All owners or occupants of buildings are required to permit the Chief of the Fire Department to inspect such buildings, to see that the provisions of this Ordinance are complied with and it shall be the duty of such Chief to make such an inspection whenever or

wherever he may suspect a violation of this Ordinance.

Section 5. It shall be unlawful for any person, persons, firm or corporation to deposit or cause to be deposited, on any side-walk, street or alley of the City of Bend, any grass, leaves, saw-dust, refuse, or other rubbish of any nature whatsoever.

Section 6. It shall be unlawful for any person, persons, firm or corporation to deposit, or cause to be deposited on any side-walk or on any park-way, between the side-walk and street, any obstruction of any kind or character, which would in any manner obstruct said sidewalk or parkway from the free use and enjoyment thereof by pedestrians or other traffic, or which might in any way be in the nature of an obstruction.

Section 7. Any person in charge of any real estate, in front of which any accumulation or obstruction, as hereinbefore prohibited, shall be responsible for such obstruction.

Section 8. Any person found guilty of a violation of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not to exceed $25.00.

Section 9. That Ordinance N.S. 103 be, and the same hereby is repealed.

Section 10. Inasmuch as the City of Bend has no Ordinance regulating obstructions on sidewalks, and between sidewalks or the curb, or street, and as there are various places within the City of Bend, where obstructions are placed, and that such obstruction or obstructions are a meance to the pedestrian traffic, and that this Ordinance requires such obstructions to be removed, and is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, an emergency is therefor, hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the City Commission and its approval by the Mayor.

Read for the first time, March 16, 1938
Read for the second time, April 6, 1938
Put upon its passage, April 6, 1938

Yeas 3
Nays 0

Submitted to and approved by the Mayor this 6th day of April, 1938.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N. S. 250.

An Ordinance to amend Article 10 of Ordinance N.S. 140, being an Ordinance regulating private business and licensing the same, and providing a penalty for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Article 10 of Ordinance N.S. 140 be, and the same hereby is amended to read as follows:

ARTICLE 10

JUNK AND SECOND HAND DEALERS

Section 1. It shall be unlawful for any person to engage in the business of buying or selling old lead, old metal, second hand sacks, rubber or any other article usually found in a junk shop or second hand store, including second hand furniture of any kind, within the City of Bend without first securing a license therefore, for each place of business so operated.

Section 2. The owner and/or driver of any cart, delivery wagon or other vehicle, which he shall use in the buying or selling of any article

of second hand merchandise, shall place the words, "Junk Dealer", together with the number of his vehicle, as shown in his license, upon each side of such vehicle, in a neat and legible manner, with letters and figures not less than 3 inches long, and proportionately wide, and such words and figures shall not be changed or removed while the said vehicle is used in such business. The owner and/or driver of every such vehicle, when not connected with a second hand store or junk shop, within the City of Bend, shall pay the same license as a junk and second hand dealer.

Section 3. All persons carrying on the business of keeping a junk shop or second hand store, or which use a vehicle in buying and, or selling junk or second hand merchandise of any kind, shall keep a register, in which he shall enter in legible writing, a complete description of all property purchased, whether new or old, together with the name and residence, including street number, of the person or persons from whom such property was purchased or received, together with the signature of the seller or sellers, as well as a complete description of seller or sellers, and the date of purchase, as well as the amount paid therefor; such register shall be purchased from the City of Bend and shall be kept in the English language, and that a complete description shall be entered in said book of each and every article so purchased, including any number or numbers on such articles of personal property, and which book shall at all times be subject to examination by any Peace Officer of the City of Bend: and that said record in the said book shall be made in duplicate, the original copy of which shall be deposited with the Chief of Police of the City of Bend, before 12 o'clock noon of the next legal business day following the purchase, and that when any such article is so purchased the said dealer shall retain the same for a period of at least 3 days from the date of his purchase, before selling or disposing of said article or articles, and when any article or articles as defined herein are purchased from any person or persons, under the age of 21 years, the purchaser shall require a written statement from the parents or guardian of such person or persons, in which it shall be stated that the said minor or minors are the owner or owners of said personal property, and in case the said minor shall have purchased said articles of personal property, then such statement from the said parents or guardian shall also give the name and resident address of the party from whom the same was purchased, together with the date thereof.

Section 4. That any junk and/or second hand dealer shall not be required to furnish the description of any property purchased from Manufacturing or Wholesale dealers having an established place of business, or of any purchases in the open market or secured from any person doing business and having an established place of business in the City of Bend, such sale of said goods must be accompanied by a bill of sale, however, or other evidence of legitimate purchase which must be shown to the Chief of Police or any other member of the Police Department of the City of Bend, upon demand being made therefor.

Section 5. No second hand personal property purchased by any junk or second hand dealer, shall be re-sold without the said dealer taking the purchaser's name and address, including his street number.

Section 6. Whenever the Chief of Police or any member of the Police Department of the City of Bend, shall notify any such second hand dealer or junk dealer not to sell any property so received by said junk or second hand dealer, said property shall not be sold until such time as may be determined by the Chief of Police, but that such time shall not exceed 15 days from the date of the Notice to withold sale of the same, unless the Chief of Police give a second notice extending said time for a further period of 15 days.

Section 7. Any Peace Officer of the City of Bend shall have authority at all reasonable hours to examine the register, as set forth in Section 3 hereof, and all articles kept in such shop or store, and any refusal to permit such examination upon the part of the owner or operator shall be deemed a violation of this Ordinance.

Section 8. Any person engaged in the business of junk or second hand dealing, as herein defined, who shall refuse, fail or neglect to comply with this Ordinance shall, upon conviction thereof, be punished by a fine of not more than $100.00 or by imprisonment in the City Jail for not more than 10 days, or by both such fine and imprisonment, and in addition thereto in the discretion of the Municipal Judge shall forfeit any license he may have to operate such business.

Section 9. Inasmuch as the present Ordinance of the City of Bend, regulating and licensing junk and second hand dealers is inadequate and a stricter regulation of such dealers should be had in order that illegal sales of personal property to such dealers by persons not legally authorized to sell and dispose of thesame, and that such illegal sales to such dealers should be eliminated, this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, an emergency is therefor declared to exist and this Ordinance shall become immediately effective upon its passage by the City Commission and its approval by the Mayor.

Read for the first time, April 6, 1938.
Read for the second time, April 20, 1938.
Put upon its passage, April 20, 1938.

Yeas 3
Nays 0

Sumbitted to and approved by the Mayor this 20th day ofApril, 1938.

F. S. Simpson
Mayor.

ATTEST

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N. S. 251

An Ordinance vacating a strip 10 feet in width from each side of that certain street lying between blocks 5 and 6 of Pinelyn Park, an addition in Bend, Oregon, and which street was formerly known as a part of Drake Road and re-named and now known as a part of Dohema Road. Said strips of 10 feet each to extend from the northeasterly side of what is now known as Drake Road to Newport Avenue, thereby reducing said portion of said street to 20 feet in width.

WHEREAS, the City of Bend, is now the owner of Block 6 of Pinelyn Park, an addition to the said City of Bend, Oregon, and

WHEREAS, the lots located in Blocks 5 and 6 of said addition are very much lower than the grade of Newport Avenue on which said blocks abut on the northeasterly side of said blocks, and

WHEREAS, there is a dead-end street extending between said blocks from which there is no exit on the northeasterly end and which said street is now known as a portion of Dohema Road, and was formerly known as a portion of Drake Road, and

WHEREAS, the said portion of said Dohema Road, extending from the Northeasterly side of what is now Drake Road, to Newport Avenue has never been used as a street, and cannot be so used by reason of its topography, elevations, and location, as the same extends over a very low spot and where it connects onto Newport Avenue, there is an abrupt rise of some 10 to 15 feet, thereby creating a dead end, and

WHEREAS, under authority of section 6 of chapter 259 of the General Laws of the State of Oregon, for 1931, the City Commission on its own initiative, by resolution, duly adopted June 1, 1938, proposed to vacate a portion of said street, and

WHEREAS, after due consideration, the City Commissioners of the City of Bend, duly adopted said resolution of intention, and directed that notice of said intention be published and posted, as required by law, and that a public hearing be had on said resolution, and which said public hearing was to beheld at 7:30 P.M. in the Commission Chambers, (Baird Bldg.) Bend, Oregon, on the 6th day of July, 1938, at which time any objections to said resolution would be considered, and

WHEREAS, no objections to said resolution having been filed or submitted, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That a strip 10 feet in width from each side of that certain street lying between blocks 5 and 6 of Pinelyn Park, an addition in Bend, Oregon, and which street was formerly known as a part of Drake Road and re-named and now known as a part of Dohema Road. Said strips of 10 feet each to extend from the northeasterly side of what is now known as Drake Road to Newport Avenue, thereby reducing said portion of said street to 20 feet in width, be and the same hereby is vacated.

Read for the first time July 6, 1938
Read for the second time July 20, 1938.
Put upon its passage, July 20, 1938.

Yeas 2

Nays 0

Submitted to and approved by the Mayor this 20th day of July, 1938.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N.S. 252

An Ordinance repealing section four of article eight of Ordinance N.S. 140.

The City of Bend does ordain as follows:

Section 1. That section four of article eight of Ordinance N.S. 140 be, and the same hereby is repealed.

Read for the first time June 15, 1938.
Read for the second time July 20, 1938.
Put upon its passage July 20, 1938.

Yeas 2

Nays 0

Submitted to, and approved by the Mayor, this 20th day of July, 1938.

F. S. Simpson
Mayor.

ATTEST

L. G. McReynolds
Recorder of the City of Bend, Oregon

ORDINANCE N. S. 253

An Ordinance vacating a portion of Railroad Street, Fifth Street, Sixth Street, Shady Drive, and aportion of the unnamed street situate between blocks 63 and 64, Bend Park, and declaring an emergency.

WHEREAS, the City of Bend is now the owner of blocks 63 and 64 and lots 2 to 11, both inclusive, of block 40, and lots 4 to 18, both inclusive, of block 27, of Bend Park, according to the official plat, and

WHEREAS, said property is desired as a stock yard location by the Great Northern Railroad Company, and

WHEREAS, in order to make such a move of the said stock yards from their present location, it is proposed to locate the same on a portion of the property located in Bend Park, and described as lots 14 to 18, inclusive, of block 27, lots 2 to 11 both inclusive of block 40, and lots 1, 2, 3, and 4 of block 64, and lots 1 to 8, both inclusive, of block 63, and

WHEREAS, the streets adjacent to said property are in the rough and wild state, and have never been used as streets, and are wholly unimproved, and

WHEREAS, a resolution was heretofor, and on or about the 26th day of July, 1938, duly adopted by the City Commission, under and by virtue of the authority vested in them by section six of chapter 259 of the General Laws of the State of Oregon for 1931, it was proposed to vacate certain streets as hereinbefore outlined, and

WHEREAS, the said resolution was duly adopted, and directed notice of said intention be published and posted, as required by law, and that a public hearing be had on said resolution, designating the hour of 10:30 A.M., and the Commission Chambers in the City Hall (Baird Building), Bend, Oregon, on the 27th day of August, 1938, as the time and place for hearing any objections to the said resolution and said vacation, and

WHEREAS, said notice of street vacation was duly published and posted, as required by law, and

WHEREAS, no objections to said resolution having been filed or submitted, now therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That East Railroad Street, extending Northwesterly, from a line drawn from the Northeast corner of Lot 8, Block 63, to the Southwest corner of Lot 12, in Block 40, BendPark to its intersection with the West lineof Fifth Street, also

Fifth street from the Northeasterly line of Block 64, North, to a line being a westerly extension of the North line of Lot 14 of Block 27, also

All that portion of the unnamed street, situate between blocks 63 and 64, Bend Park, also

All that part of the West half of Sixth Street lying Easterly and Southeasterly of Lots 16, 17, and 18, of Block 27, also

That part of the South half of Shady Drive, lying Northerly, Northwesterly, and westerly, of lots 2, 3, 4, and 5, of block 40, all situated in Bend Park, according to the official plat, and in the City of Bend, Oregon, be and the same hereby are vacated.

Section.2. Inasmuch as the vacation of the streets, as hereinbefore described, is necessary for the purpose of permitting and allowing the present stock yards in the City of Bend to be moved from their present location, which said location is objectionable to residents within a more thickly populated section of the city, and inasmuch as a move to lessen the objectionable features of a stock yard, and that such change and removal is advisable and necessary, this ordinance is, likewise, necessary for the immediate preservation of the public health, peace, and safety of the City of Bend.

An Emergency is, therefore, hereby declared to exist, and this Ordinance shall become immediately effective upon its passage by the Commission and its approval by the Mayor.

Read for the first time August 29, 1938.
Read for the second time September 21st, 1938.
Put upon its passage, September 21st, 1938.

Yeas 3
Nays 0

Submitted to, and approved by the Mayor this 21st, day of September, 1938.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

2RBGd

ORDINANCE NO. N. S. 254

An Ordinance regulating the operation of what is known as History Question Games and other games of like nature providing for a license fee for the operation of such games; providing a penalty for the violation of this ordinance and declaring an emergency.

WHEREAS, various games such as "Hisotry Question Games" are in use and operation ina number of the cities of the State of Oregon, and

WHEREAS, such games are operated in the interest of trade and industry, and

WHEREAS, such games are proposed to be operated in the City of Bend, and

WHEREAS, in case any such games are so operated in the City of Bend, it is the judgment and opinion of the City Commission that such games should be regulated and licensed; now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Wherever the word "person" is used in this Ordinance it shall be known to mean and include a natural person, persons, firm, corporation or partnership, and the singular number shall include the plural.

Section 2. Definition of the term "History Question Game"; History Question Game is such a game as may be played by the use of a board and questions received from said board and when operated and skillfully played may award the player by a prize, such game being conducted, in all respects so as not to in any way violate the laws of the State of Oregon.

Section 3. History Question Game or games may be, and the same hereby is, understood to include games operated under other names when operated on a plan similar to the History Question Game.

Section 4. Before any History Question Game, or game of like nature provided herein, shall be operated the same must have a serial number attached thereto; be approved by the City Commission of the City of Bend and a license obtained to operate such game from the Recorder of the City of Bend.

Section 5. The license fee for History Question Game and games of similar character approved by the City Commission shall be six per cent of the gross yield of the said board.

Section 6. It shall be unlawful for any person to operate a History Question Game or games of like character without first obtaining a license from the Recorder of the City of Bend to so operate the same.

Section 7. It shall be unlawful for any person to operate a History Question Game or games of like character where the prizes offered consist of merchandise not sold or offered for sale in the establishment of the operator.

Section 8. The license for operating a History Question Game or games of like character issued by the Recorder of the City of Bend shall be pasted, attached to or stamped on the said game and at all times subject to inspection by the Police or other officers of the City of Bend.

Section 9. Anyviolation of this Ordinance shall be punished by fine not to exceed $200.00 or by imprisonment in the City Jail not to exceed 100 days or by both such fine and imprisonment.

Section 10. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety for the City of Bend in this: That at the present time History Question Game or games of like character are about to be introduced in various of the business establishments in the City of Bend, and that such games should be regulated as provided for in this Ordinance, an emergency is therefore hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time March 15, 1939.
Read for the second time April 5th, 1939.
Put upon its passage April 5th, 1939.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 5th day of April, 1939.

F. S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 255

An ordinance to amend Section 1 of Article 17 of Ordinance N.S. 140 and amending Section 1 of Article 20 of Ordinance N.S. 140 and amending Section 1 of Article 21 of Ordinance N.S.140, as amended, being an ordinance regulating private business and licensing the same, providing a penalty for the violation thereof,and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Article 17 of Ordinance N. S. 140 be, and the same hereby is, amended to read as follows, to-wit:-

SECTION L. The term "transient merchant", as used herein, shall mean and include every person engaged or participating ina temporary or transient business of selling or exhibiting for sale goods, wares or merchandise of any name or nature in the City of Bend whether such transient merchant be established with a local dealer or not, unless such temporary business be continued upon the premises regularly occupied by such local dealer, but does not include the class of peddlers, hawkers or street vendors described in Section 1 of Article 3 of Ordinance N.S. 140 as amended.

That Section 1 of Article 20 of Ordinance N.S. 140 be, and the same hereby is, amended to read as follows, to-wit:

SECTION 1. All licenses shall be subject to the regulations now or hereafter imposed by the City, and nothing in this Ordinance shall be construed to create the vested right in any person to a license in the first instance or to the assignment, renewal, reissuance or continuance of any license, and the right shall be and remain at all times vested in the Commission, and the Commission may refuse to grant any license or may revoke and cancel any license procured by any misrepresentation, or for a violation of any of the provisions of this, or any other, Ordinance of the City of Bend, or any State or Federal Statute, or for any conduct, or in connection therewith, tending to render such business, or the premises where the same is conducted, a public menace, or a menace to the health, business or general welfare of the said City; or whenever in the judgment of the Commission the public interest demands they refuse to grant a requested license or may revoke any such license already issued.

That Section 1 of Article 21 of Ordinance N.S. 140, as heretofore amended, be, and the same hereby is, amended to read as follows, to-wit:

SECTION 1, The fees for all licenses as provided by this ordinance shall be as follows:

Astrologers, etc., per day.	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof.	10.00
Billiard, Card and/or Pool Rooms, for each table over one per quarter.	2.50
Bowling Alleys, for each Alley, per quarter or fraction thereof.	2.50
Food Establishments, per quarter or fraction thereof.	1.50
Hawkers, Class I, per day or fraction thereof.	4.00
Hawkers, Class II, per day or fraction thereof.	3.00

Hotels, Lodging Houses and/or Rooming Houses per year or fraction thereof:	
Hotels with meals	$ 15.00
Hotels without meals	10.00
Lodging and rooms	5.00
Ice Cream Wagons, per week	10.00
Second Hand Dealers, per quarter or fraction thereof	2.50
Junk Delaers, per quarteror fraction thereof	5.00
Moving Picture Shows, per seat, per quarter or fractionthereof	.02
Milk Delaers, per year, distributing less than 25 quarts per day	1.00
From 25 to 50 quarts per day	3.00
From 50 to 100 quarts per day	5.00
From 100 to 300 quarts per day	8.00
From 300 to 500 quarts per day	12.00
From 500 to 700 quarts per day	25.00
From 790 to 900 quarts per day	37.50
From 900 quarts, upwards, per day	50.00
Peddlers, per day, Class I, (Any fraction of a day is a day)	3.00
Class II, " " " " " " "	5.00
Class III, " " " " " " "	7.50
Class IV " " " " " " "	10.00
Class V " " " " " " "	15.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesmen, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
Transfer Vehicles, per year or fraction thereof	15.00
Garbage Trucks, per quarter or fraction thereof	7.50
Vehicles for Hire, per year or fraction thereof	10.00
Taxi with Street Stand	25.00
Taxi without Street Stand	15.00
Transient Merchants, per month or fraction thereof	200.00
Wood Saws, per annum	25.00
Circus, each performance	100.00
Carnivals, per day	100.00
Operatic and Dramatic Shows, per day	20.00
Auctioneers, Special, per day	25.00
Auctioneers, General, per day	5.00

Section 1B. That whereas the license fees of some of the various industries should be changed due to the fact that some of such license fees should be raised, therefore this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bendin this: That by reason of the enactment of legislation in the State of Oregon, since the passage of the previous ammendment, a law has been passed wherein certain of the industries regulated herein require the changes enumerated in Section 1 hereof, therefore an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time March 15th, 1939.
Read for the second time August 16th, 1939.
Put upon its passage August 16th, 1939.

Yeas 3
Nays 0

Submitted to and approved by the Mayor this 16th day of August, 1939.

ATTEST

L. G. McReynolds
Recorder of the City of Bend

F.S. Simpson
Mayor.

ORDINANCE N. S. NO. 256

An Ordinance to amend Section 5 of Ordinance N.S. 111 as amended by Ordinance N.S. 224, being an ordinance regulating the construction, erection, raising, lowering, altering, repairing and use of buildings and to provide protection against fire, and to definitely establish the fire limits of the City of Bend, and providing for a penalty for the violations thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 5 of Ordinance N.S. 111, as amended by Ordinance N.S. 224, be and the same hereby is amended to read as follows:

SECTION 5. All property lying within the boundaries in this Section set forth is hereby declared to lie within the fire limits within the City of Bend, Oregon, to-wit:

Commencing at a point on Division Street where the same is intersected by the alley in Block 25 of the Original Town of Bend; thence westerly along the center line of said alley to its intersection with Harriman Street; thence South along Harriman Street to its intersection with Irving Avenue; thence Westerly on Irving Avenue to its intersection with the center line, extended, of the alley in Block 15 of the Original Town of Bend; thence Southwesterly along said alley to its intersection with Louisiana Avenue; thence Westerly on Louisiana Avenue to an intersection with the center line, extended, of the alley in Block 5 of the Original Town of Bend; thence along said alley to an intersection with the southwesterly line of Oregon Avenue; thence Northwesterly along the southwesterly boundary line of Oregon Avenue to the South corner of Lot 6 in Block 2 of the Original Town of Bend; thence Northeasterly along the Northwesterly side of Brooks Street to the East corner of Lot 1 of Block 2 of Bend, which is the Southwest corner of Brooks Street and Greenwood Avenue; thence Southeasterly along Greenwood Avenue to its intersection with Wall Street; thence Northeasterly on wall Street to its intersection with Vermont Place; thence along Vermont Place to its intersection with Hill Street; thence South on Hill Street to Kearney Avenue; thence Easterly on Kearney Avenue to Division Street; thence Southerly on Division Street to the point of beginning. Unless otherwise specified the center line of the streets, alleys and/or public ways above mentioned are intended in all cases.

SECTION 16. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, that a proper building restriction with reference to fire hazards should be maintained at all times within the City of Bend, and that a change in the present fire limits is necessary, an emergency is therefore hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time September 6, 1939.
Read for the second time September 20, 1939.
Put upon its passage September 20, 1939.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 20th day of September, 1939.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend

F.S. Simpson
Mayor.

2RBGd

ORDINANCE NO. N.S. 257.

An Ordinance vacating that portion of the alley extending north and south through Block 24 of the re-subdivision of Block 24 of Bend, lying east and adjacent to Lot 19 of said Block.

WHEREAS, Deschutes County, Oregon, is now the owner of Lots 12 to 22, both inclusive, and Lot 3 in Block 24 of Bend, and

WHEREAS, said property is used as a warehouse location and storage yards for Deschutes County property, and

WHEREAS, it is convenient and desirable on the part of the said Deschutes County, Oregon, to fence its said warehouse and lots for the protection of said property stored therein, and

WHEREAS, no inconvenience to other property owners, by reason of said proposed vacation, is apparent, and

WHEREAS, by reason of the foregoing, it is desirable that that portion of the alley extending north and south through Block 24 of the re-subdivision of Block 24, Bend, lying east and adjacent to Lot 19 of said Block should be vacated, and

WHEREAS, under authority of Section 6 of Chapter 259 of the General Laws of the State of Oregon for 1931 and the authority vested in the City Commission of the City of Bend, by virtue of the City Charter, the City Commission on its own initiative through application of said Deschutes County, Oregon, by resolution duly adopted July 19th, 1939, propose to vacate the hereinbefore described portion of said alley, and

WHEREAS, after due consideration, The City Commission of the City of Bend duly adopted said resolution of intention and directed that notice of said intention be published and posted, as required by law, and that a public hearing be had on said resolution on Wednesday, the 6th day of September, 1939, at 8 o'clock in the afternoon in the Commission Chambers in the City Hall, Bend, Oregon, at which time any objections to said resolution would be considered, and

WHEREAS, notice of said street vacation was duly published and posted, as required by law, and

WHEREAS, no objections to said resolution having been filed, now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. That that portion of the alley extending north and south through Block 24 of the re-subdivision of Block 24, Bend, lying east and adjacent to Lot 19 of said Block be, and the same hereby is, vacated.

Read for the first time September 6th, 1939.
Read for the second time September 20th, 1939.
Put upon its passage September 20th, 1939.

Yeas 3

Nays 0

Approved by the Mayor this 20th day of September 1939.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend

F.S. Simpson
Mayor

ORDINANCE N. S. 258

AN Ordinance providing a system of Civil Service for Paid Firefighters.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Civil Service Adopted - Pursuant to Chapter 122 of Oregon Laws, 1935, and a Special Election held thereunder in the City of Bend on the 31st day of January, 1936, there is hereby created and adopted a system of civil service for said City under which all full time paid fire fighters shall be employed in said City, together with all necessary provisions for the operation of said system.

Section 2. Commission-Appointment-Term of Office-Vacancy - There is hereby created a civil service commission which shall be composed of three persons. Said members of said commission shall be appointed by the City Commission and shall serve without compensation. The term of office of each commissioner shall be six years, except that the term of office of any commissioner appointed to fill a vacancy in such office shall be for the unexpired term of the office wherein such vacancy occurs, and further except that in determining the terms of office of the first three commissioners herein appointed, one commissioner shall be appointed for the term of office expiring on the first day of January, 1942, one commissioner for the term expiring on the first day of January, 1944 and one commissioner for the term of office expiring on the first day of January ,1946.

Section 3. Commission-Qualification and Removal - No person shall be appointed or qualified as a member of said commission who is not a citizen of the United States of America, a resident of the city for at least three years immediately preceding such appointment and an elector of Deschutes County. The City Commission may by resolution remove any member of said commission from office for imcompetency, incompatability, dereliction of duty, or malfeasance in office, or other good cause, after giving to said commissioner a copy of the charges against him and an opportunity to be heard in person or by counsel upon not less than ten days notice.

Section 4. Commission-Organization Meeting-Quorum - Immediately after its appointment the civil service commission shall organize by electing oneof its members as chairman. It shall hold such meetings as may be necessary for the proper discharge of its duties, which meetings shall be held after due notice to all members, upon call of the chairman or two members of the commission. Two members of the commission shall constitute a quorum, and the votes of two members shall be sufficient for the decision of all matters and the transaction of all business required under the provisions of this ordinance or the rules of said commission.

Section 5. Commission-Duties - It shall be the duty of the civil service commission:

(a) To Devote due time and attention to the discharge of the duties imposed upon it by the provisions of this ordinance,

(b) To make suitable rules and regulations not inconsistent with the provisions of this ordinance, which shall provide in detail the manner in which examinations may be held, and appointments, promotions, transfers, reinstatements, demotions, suspensions and discharges shall be made, and it may also provide for any other matters connected with the general subject of personnel administration, and which may be considered desirable to further carry out the general purposes of this ordinance, or which may be found to be in the interest of good personnel administration.

Such rules and regulations may be changed from time to time. They may be printed, mimeographed or multigraphed for free distribution.

(c) The commission shall make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this ordinance, and the rules and regulations prescribed thereunder, inspect all institutions and departments, offices,places, positions and employments affected by this ordinance, and ascertain whether this ordinance and all such rules and regulations are being obeyed. Such investigations may be made by the commission or by any commissioner designated for that purpose.

The commission shall make like investigations on petition of a citizen, duly verified, stating that irregularities or abuses exist, or setting out in concise language in writing the necessity for such investigation. In the course of such investigation the commission or designated commissioner shall have the power to administer oaths, subpoena and require the attendance of witnesses, and the production by them of books, papers, documents and accounts appertaining to the investigation, and to cause the depositions of witnesses residing within or without the state to be taken in the manner prescribed by law for such depositions in civil suits of the United States; and the oaths administered hereunder shall have the same force and effect as the oaths administered by the circuit judge in his judicial capacity; and the failure to comply with the provisions of this ordinance shall be deemed a violation of the ordinance and punishable as such.

(d) All hearings and investigationsbefore the commission, or designated commissioner, shall be governed by this ordinance and the rules of practice and procedure to be adopted by the commission, and in the conduct thereof, neither the commission or designated commissioner shall be bound by the technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony before commission or designated commissioner, shall invalidate any order, decision, rule or regulation made, approved or confirmed by the commission; provided however, that no order, decision,rule or regulation made by any designated commissioner conducting any hearing or investigation alone shall be of any force or effect whatsoever, unless and until concurred in by at least one other member of the commission.

(e) To hear and determine complaints respecting the administration of personnel, allocation of positions, examination rejections, and all other matters referred to the commission.

(f) To establish and maintain in card index or other suitable form a roster of officers and employees of the fire department.

(g) To provide for, formulate and hold competitive tests, or to constitute and appoint suitable agencies therefor, for the purpose of determining the relative qualifications of persons who seek employment in any classified position under civil service and to establish thereby eligible lists for the various classified positions. To provide that men laid off because of curtailment of expenditures, reduction in force, and for like causes shall be the last man or men, including probationers, that have been appointed to said fire department. Such removal shall be accomplished by suspending in numerical order, commencing with the last men appointed to the fire dpeartment, all recent appointees to said fire department, until such reductions necessary shall have been accomplished; provided further, that in the event the said fire department shall again be increased in numbers the said firemen suspended under the terms of this act shall be reinstated before any new appointments to said fire department shall be made.

(h) When a vacant position is to be filled, to certify to the appointing authority, on written Request, the names of the three persons highest on the eligible list for the class. If there are no such lists, to authorize a provisional or temporary appointment list of such class. Such temporary or provisional appointment shall not continue for a period longer than four months; nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year.

(i) To keep such records as may be necessary for the proper administration of this act.

Section 6 Secretary - The City Recorder is hereby designated and appointed as secretary to said commission. It shall be his duty to attend all meetings of said commission, to keep a record of its proceedings, to preserve all reports made to it and all applications filed with him as such secretary, and to perform such other duties as the commission may prescribe.

Section 7. Those subject to Civil Service - The civil service herein created shall apply to and be a classified service of all positions now existing or hereafter created in the full paid fire department including that of fire chief. All present incumbents and all future appointees shall be subject to civil service. All appointments to and promitions in such department shall be made solely on merit, efficiency, and fitness,which shall be ascertained by open competitive examination and impartial investigation. No person shall be suspended, discharged, reinstated or transferred from any such place, position or employment contrary to the provisions of this Ordinance.

Section 8. Adoption and Induction of Incumbents into Civil Service. - For the benefit of the public service and to prevent delay, injury, or interruption therein by reason of the enactment of this act, all persons holding a position in the fire department, including the chief thereof, when this takes effect, who shall have served continuously in such position for a period of at least six months immediately prior thereto are hereby declared eligible for permanent appointment under civil service to the offices,places, positions or employments which they shall then hold, respectively, without examination or other act on their part, and not on probation; and every such person is hereby automatically adopted and inducted permanently into civil service, into such office, place, position or employment which such person then holds as completely and effectually to all intents and purposes as if such person had been permanently appointed thereto under civil service after examination and investigation.

Section 9. Residence -Whenever any person shall be appointed to any position in the classified paid fire fighters civil service of the city he shall be or become and continue to be a resident within the city limits of the city, from the date of said appointment.

Section 10. Tenure of Office of Civil Service Employees and Causes and Manner of Discharge -

The tenure of every person holding an office,place, position or employment in the classified civil service provided by this ordinance shall be determined in compliance and conformity with the terms and conditions of this section. No person employed as a fire fighter under such classified service shall be removed or discharged, suspended or demoted or reduced in rank for any political or religious reason orpurpose. Any such paid fire fighter under any such classified civil service may be removed or discharged, suspended without pay, demoted or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons:

(a) Incompetency, inefficiency or inattention to or dereliction of duty.

(b) Dishonesty, immoral, disgraceful or prejudicial conduct, insubordination, discourteous treatment of the public, or a fellow employe, or any other act of omission or commission tending to injure the public service; or any other wilful failure on the part of the employe to properly conduct himself; or any wilful violation of the provisions of this ordinance or the rules and regulations to be adopted hereunder.

(c) Drunkenness; intemperance, or use of intoxicating liquors, narcotics, or any other habit forming drug, liquid or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employe, or which precludes the employe from properly performing the functions and duties of any position under civil service.

(d) Mental or physical unfitness for the position which the employe holds;

(e) Conviction of felony, or a misdemeanor, involving moral turpitude.

(f) Any other act or failure to act which in the judgment of the civil service commissioners is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

Section 11. Removal - No person in the classified civil service who shall have been permanently appointed or inducted into civil service under provisions of this act, shall be removed, suspended,

demoted or discharged except for a cause, and only upon the written accusation of the appointing power, or any citizen or taxpayer, a written statement of which accusation, in general terms, shall be served upon the accused, and a duplicate filed with the commission. The chief of the fire department may suspend a member pending the confirmation or rejection of the suspension by the regular appointing power under this ordinance, which must be within thirty days thereafter. Any person so removed, suspended, demoted or discharged may within ten days from the time of his removal, suspension, demotion or discharge, file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation. All investigations made by the commission pursuant to the provisions of this section shall be by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his defense. The investigation shall be confined to the determination of the question of whether such removal, suspension, demotion or discharge was or was not made for political or religious reasons and was or was not made in good faith for cause. After such investigation the commission may affirm the removal, or if it shall find that the removal, suspension, or demotion was made for political or religious reasons or was not made in good faith for cause, shall order the immediate reinstatement or reemployment of such person in the office, place, position or employment from which such person was removed, suspended, demoted or discharged, which reinstatement shall, if the commission so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such removal, suspension, demotion or discharge. The commission upon such investigation, in lieu of affirming the removal, suspension, or discharge by directing a suspension, without pay, for a given period, and the findings of the commission shall be certified, in writing to and shall be forthwith enforced by the appointing power.

Section 12. Duties of All Officers and Employes to Assist the Commission. It shall be the duty of all officers and employes of any such city to aid in all proper ways of carrying out the provisions of this act, and such rules and regulations as may, from time to time, be prescribed by the commission thereunder and to afford this commission, its members and employes, all reasonable facilities and assistance to inspect all books, papers, documents and accounts applying or in any way appertaining to any and all offices, places, positions and employments, subject to civil service, and also to produce said books, papers, documents and accounts, and attend and testify, whenever required so to do by the commission or any commissioner.

Section 13. Appointments to Vacant Positions; Certification from Lists - Whenever a position in the classified service becomes vacant, the appointing power, shall make requisition upon the commission for the name and address of a person eligible for appointment thereto, The commission shall certify the names of the three highest on the eligible list for the class to which the vacant position has been allocated, who is willing to accept employment. If there is no appropriate eligible list for the class, the commission shall certify thenames of the three persons standing highest on said list held appropriate for such class. If more than one vacancy is to be filled an additional name shall be certified for each additional vacancy. The appointing power shall forthwith appoint one such person to each such vacant position.

Whenever requisition is to be made, or whenever a position is held by a temporary appointee and an eligible list for the class of such position exists, the commission shall forthwith certify the names of three persons eligible for appointment to the appointing power, and said appointing power shall forthwith appoint one of the persons so certified to said position. No person so appointed shall be laid off, suspended, or given leave of absence from duty, transferred or reduced in pay or grade, except for reasons which will promote the good of the service, specified in writing, and after an opportunity to be heard by the commission and then only with its consent and approval.

No appointment, employment or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of nine months probationary service.

During such probationary period the appointing power may at any time terminate the employment of any person certified to it, if during the performance test thus afforded, upon observation or consideration of the performance of duty, the appointing power deems him unfit or unsatisfactory for service in the position to be filled. Whereupon the appointing power shall choose a person certified on the eligible list provided and such person shall likewise enter upon said duties, and selection shall proceed in such manner until some person is found who satisfactorily meets the tests and requirements of the probationary period provided therefore, whereupon the appointment, employment or promotion shall be deemed to be complete.

Section 14. Creation of Employment and Fixing of Compensation. - All offices, places, positions and employments coming within the purview of this act, shall be created by the person or group of persons who, acting singly or in conjunction, as a mayor, city manager, chief, common council, commission, or otherwise, is or are vested by law and prior to the taking effect of this act, the power and authority to select, appoint, or employ any person coming within the purview of this act, and nothing herein contained shall infringe upon the power and authority of any such person or group of persons, or appointing power, to fix the salaries and compensation of all employes hereunder.

Section 15. Certification of Payrolls. - No treasurer, auditor, comptroller or other officer or employe of any city, town or municipality in which this act is effective, shall approve the payment of or be in any manner concerned in paying, auditing or approving any salary, wage or other compensation, for services, to any person subject to the jurisdiction and scope of this act, unless a payroll, estimate or account for such salary, wage or other compensation, containing the names of the persons to be paid, the amount to be paid to each person, the services on account of which same is paid, and any other information which, in the judgment of the civil service commission, should be furnished on such payroll, bears the certificate of the civil service commission or its secretary or other duly authorized agent, that the persons named in such payroll, estimate or account have been appointed or employed in compliance with the terms of this act and with the rules of the commission, and that the said payroll, estimate or account is, so far as known to the said commission, a true and accurate statement. The commission shall refuse to certify the pay of any public officer or employe whom it finds to be illegally or improperly appointed, and may further refuse to certify the pay of any public officer or employe who shall wilfully or through culpable negligence violate or fail to comply with this act or with the rules of the commission.

Section 16. Leave of Absence - Leave of absence, with or without pay, may be granted by any appointing power to any person under civil services; provided, that the recorder shall give notice of such leave to the commission. All temporary employment caused by leaves of absence shall be made from the eligible list of the classified civil service.

Section 17. Civil Suits - It shall be the duty of the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this act and of the rules of the commission. The commission shall be represented in such suits by the chief legal officer of the city, but said commissionmay in any case be represented by special counsel to be appointed by it after first obtaining authorization as to appointment and compensation therefor from the common council.

Section 18. False Marking, Grading, Etc. Prohibited - No commissioner or any other person, shall by himself or in cooperation with one or more persons defeat, deceive, or obstruct any person in respect of his right of examination or registration according to the rules and regulations provided by this ordinance or the rules of the civil service commission thereunder, or falsely mark, grade, estimate or report upon the examination of proper standing of any person examined, registered or certified pursuant to the provisions of this ordinance and said rules and regulations, or aid in so doing , or make any false representation concerning the same, or concerning the persons examined, or furnish any person

any special information for the purpose of improving or injuring the prospects or chances of any person so examined, registered, or certified or persuade any other person, or permit or aid in any manner any other person to personate him, in connection with any examination or registration or application or request to be examined or registered.

Section 19. Political Services Disregarded and Prohibited. No person holding anyoffice, place, position or employment subject to civil service, is under any obligation to contribute to any political fund or so render any political service to any person or party whatsoever, and no person shall be removed, reduced in grade or salary, or otherwise prejudiced for refusing so to do. No public officer, whether elected or appointed, shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person under civil service, or promise or threaten to do so, for giving or withholding, or neglecting to make any contribution of money, or services, or any other valuable thing, for any political purpose.

Section 20. Definition of Terms - As used in this act, the following mentioned terms shall have the following described meanings;

The term "commission" means the civil service commission herein created, and the term "commissioner" means any one of the three commissioners of that commission.

The term"appointing power" includes every person or group of persons who, acting singly or in conjunction, as a mayor, city manager, council, commoncouncil, commission, or otherwise, is or are, vested by law with power and authority to select, appoint, or employ any person to hold any office, place, position or employment subject to civil service.

The term "appointment" includes all means of selection, appointing or employing any person to hold any office,place, position or employment subject to civil service.

Section 21 Constitutionality of Ordinance. - If any section, subsection, subdivision, sentence, clause or phrase of this act, shall for any reason be held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 22. Repeal of Conflicting Ordinances -All Ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict with the provisions of this ordinance.

Section 23. Violation of This Ordinance a Misdemeanor, Penalty Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Municipal Court shall be punished by a fine of not less than $5.00 nor more than $200.00 and upon default in the payment of said fine or any part thereof shall be imprisoned in the city jail for a period determined at the rate of one day for each two dollars of said fine unpaid.

Passed by the City Commission this 6th day of December, 1939.

Approved by the Mayor this 6th day of December, 1939.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder.

ORDINANCE N. S. 259

An Ordinance regulating the construction, erection, raising, lowering, altering, repairing, moving, and the use of buildings, and to provide for the protection against fire and to definitely establish the fire limits of the City of Bend, providing a penalty for the violation hereof, and repealing Ordinances N.S. 111, N.S. 114, N.S. 142, N.S. 224, N.S. 256, and all other ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. Any person, firm, company or corporation desiring to construct any building in the City of Bend, or to lower, raise, alter or repair any building or structure, before commencing such work shall file with the Recorder of the City of Bend a copy of the plans and specifications of the same, and shall present therewith an application, in writing, for permission to do such work, and secure a permit therefor. The fees for such permit shall be as follows:

$1.00 for each permit where the cost of the proposed building does not exceed $500.00.

$1.50 where the cost exceeds $500.00 but does not exceed $1000.00.

An additional fee of $1.00 for each additional $1000.00, or fraction thereof, over $1000.00 up to a total valuation of and including $50,000.00.

An additional fee of 50¢ for each additional $1000.00, or fraction thereof, over a total valuation of $50,000.00.

$2.00 for moving any building, as provided for in Section 2.

The City, County, State, School District, or any church organization, duly organized as such, for the construction of any church, or the United States of America in the construction of any buildings shall be exempt from paying of any fee for any building permit, but, however, any such construction shall not be commenced before plans and specifications therefor shall have been filed with the Recorder of the City of Bend. Provided, however, that this shall not be construed to exempt any of the excepted classes from complying with all other provisions of this ordinance and the requirements enforced for construction of other buildings.

The Recorder of the City of Bend shall keep a permanent, accurate account of all fees and other moneys collected and received under this Code and give the names of the persons upon whose account the same were paid, the date and amount thereof, together with location of the building or premises to which they relate.

SECTION 2. No building within the City of Bend shall be moved without the premission of the Building Inspector. No permission shall be given to move any building into or within the fire limits unless such building shall comply with the fire proof construction as required by this ordinance. Whenever any building is to be moved either inside or outside of the fire limits, the person, firm or corporation making application for such removal shall first give such security as the Building Inspector deems necessary that they will leave the street or streets over which said building is to be moved in as good order and condition as the same was before such moving, and further, that such moving shall be continuous day by day with the least possible obstruction to the public ways thus used, and further, that said person, firm or corporation shall pay or discharge any damage caused tothird parties by reason of such removal and thereby save the City Harmless for and on account thereof, and no such removal of any building shall be commenced until a permit therefore has been granted.

SECTION 3. No person shall hereafter construct, lease or occupy any building, within the corporate limits of the City of Bend, as a public service station, or any building in connection therewith, unless the same be a fireproof building. There shall at all times be maintained in every building used for the purpose aforesaid, and for any public garage, one chemical fire extinguisher of not less than two and one-half gallons capacity where the floor space is less than two thousand square feet, and one additional chemical fire extinguisher for every additional two thousand square feet of floor space or any fraction thereof, used for any of such purposes.

SECTION 4. PUBLIC GARAGES shall be constructed in accordance with the provisions of the Uniform Building Code, except where provisions of this Ordinance or the Laws of the State of Oregon modifies or changes the manner in which such garages shall be constructed, used or occupied.

SECTION 5. Fire Proof Building Defined: All floors to be of concrete or other non-combustible material. All foundations and wall to be of brick or other non-combustible material. Partitions may be constructed of wooden studs, insulated with metal lath and cement plaster or other non-combustible material or insulation. Ceilings and all covering over gas pumps must be insulated with metal lath and cement plaster or other non-combustible material. All window openings to be of metal sash. Where exposures are less than ten feet, wire glass to be used unless said opening is within ten feet of the property line, when wire glass must be used, provided, however that temporary permission may be given during the time that no exposure exists for use of ordinary glass. The top roof covering shall be of fire resisting material.

SECTION 6. No smoking shall be allowed inside any room used as a public garage, and a notice in large letters, "NO SMOKING", shall be displayed in a conspcious place and manner on each floor and at all entrances thereto.

SECTION & 7 Sand shall be kept in iron buckets in all garages. Every public garage of two thousand square feet of area, or less, shall have on hand at all times at least one barrel of clean sand, and one additional barrel for every four thousand square feet, or fraction thereof, of additional floor space, the same to be placed on different parts of the main floor and repair shop; each barrel to contain an iron scoop, to be used on any gasoline or oil fire and for absorbing waste oils that may fall upon the floor; such sand when saturated shall be removed from the building. The use of sawdust for absorbing oil is hereby prohibited.

SECTION 8. All waste and rubbish of any kind must be kept in a metal receptacle fitted with a tight cover.

SECTION 9. No gasoline shall be put into, or taken out of, any automobile where there is an open light. All lamps on the automobile must be extinguished before filling any tank thereon with gasoline.

SECTION 10. Only electricity shall be used in any public garage for illiminating purposes.

SECTION 11. No gasoline shall be used for motive power to supply any engine or machinery of any kind used or run by any public garage.

SECTION 12. No stove, forge torch or other furnace, flame or fire shall be allowed within any room occupied as a public garage.

SECTION 13. All electric motors, not actually a part of an automobile, shall be located at least four feet above the floor.

SECTION 14. All repair shops shall be kept clean and floor free from oily waste or rags; all such waste or rags shall be kept in metal cans or receptacles covered with tight fitting covers.

SECTION 15. No oils, gasoline or other inflammable material shall be allowed to be stored or kept in any lockers.

SECTION 16. All lockers in public garages shall be so constructed as to permit of ready inspection.

SECTION 17. Before any tents or canvas houses shall be erected within the City Limits of Bend, the owner shall secure a building permit therefor fromthe Recorder of theCity of Bend, as herein provided; provided, however that sleeping tents near to or adjoining any building belonging to the owner of such tent, and in which tent no stove or stoves are used or are to be used, shall not come within the provisions of this section.

SECTION 18. All property lying within the boundaries, in this section set forth, is hereby declared to lie within the fire limits of the City of Bend, Oregon, to-wit: Commencing at a point on Division Street where the same is intersected by the alley in Block

25 of the Original Town of Bend; thence Westerly along the center line of said alley to its intersection with Harriman Street; thence South along Harriman Street to its intersection with Irving Avenue; thence Westerly on Irving Avenue to itsintersection with the Center line, extended, of the alley inBlock 15 of the Original Town of Bend; thence Southwesterly along said alley to its intersection with Louisiana Avenue; thence Westerly on Louisiana Avenue to an intersection with the center line, extended, of the alley in Block 5 of the Original Town of Bend; thence along said alley to an intersection with the Southwesterly line of Oregon Avenue; thence Northwesterly along the Southwesterly boundary line of Oregon Avenue to the South corner of Lot 6, in Block 2 of the Original Town of Bend; thence Northeasterly along the Northwesterly line of Brooks Street to the East corner of Lot 1 of Block 2 of Bend, which is the Southwest corner of Brooks Street and Greenwood Avenue; thence Southeasterly along Greenwood Avenue to its intersection with Wall Street; thence Northeasterly on Wall street to its intersection with Vermont Place; thence along Vermont Place to its intersection with HillStreet ; thence South on Hill Street to Kearney Avenue; thence Easterly on Kearney Avenue to Division Street; thence Southerly on Division Street to the point of beginning. Unless otherwise specified the center line of the streets, alleys and/or public ways above mentioned are intended in all cases.

SECTION 19. The Commission shall have the power, and is hereby authorized to declare any building or structure of any nature whatsoever, existing or erected in violation of the provisions of this ordinance, a nuisance, and i s hereby empowered to abate the same.

SECTION 20. Any chimney, or flue which is built in violation of any provision of this ordinance shall be immediately demolished or rebuilt in accordance therewith, and it shall be the duty of the Building Inspector to see that this section is enforced.

SECTION 21. Any violation of any of the provisions of this ordinance shall subject the structure erected with which fails to conform herewith to be demolished or rebuilt in accordance with this ordinance and also any person or persons, whether owner, builder, contractor, sub-contractor or mechanic, who shall violate any section or part of section of this ordinance shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined not more than $500.00

SECTION 22. All provisions of the Uniform Building Code not in conflict with this ordinance or the laws of the State of Oregon and the laws of the State of Oregon, are hereby adopted in full as the building code of the City of Bend, and all buildings hereafter erected, altered or repaired shall be so erected, altered or repaired in conformity with this ordinance, the laws of the State of Oregon, and the said Uniform Building Code, together with any and all ammendments to the said Uniform Building Code in effect at the time of the passage of this Ordinance, or any such ammendments to said Uniform Building Code and the laws of the State of Oregon which may be adopted, hereafter.

SECTION 23. Ordinances N.S. 111, N.S. 114, N.S. 142, N.S. 224, N.S. 256, and all other ordinances or parts of Ordinancesin conflict herewith are hereby repealed.

SECTION 24. SAVING CAUSE: If any section, sub-section, provision, clause or paragraph of this ordinance shallbe adjudged or declared by any Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this ordinance, and it hereby is expressly declared that every other section, sub-division, paragraph, provision or clause of this ordinance would have been enacted irrespective of the enactment or validity of the portion thereof declared or adjudged to be unconstitutional or invalid.

SECTION 25. EMERGENCY CLAUSE: Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this: That a proper restriction with reference to fire hazards should at all times be maintained within the City of Bend; that the fire limits should be definitely settled, and that fire proof buildings should be defined in order that builders may be governed accordingly, and that the building code of the City of Bend be more definitely established; it is deemed necessary that an emergency be declared

to exist, & this Ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the First Time: February 7, 1940.

Read for the Second Time: February 21, 1940.

Put upon its passage: February 21, 1940.

Yeas: 3

Nays: 0

Submitted to and approved by the Mayor, this 21st day of February, 1940.

F.S. Simpson
Mayor

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N. S. 260

An ordinance to enlarge the duties of the Chief of the Fire Department of the City of Bend; to provide for the registration of persons, firms and corporations engaged in the installation of electrical motors and appliances and the wiring of buildings for electrical use, including marquees and additions to any buildings, all within the corporate limits of the City of Bend; providing a penalty for the violation of this ordinance; repealing Ordinances N.S. 113 and N.S. 216 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. It shall be unlawful for any person, firm or corporation to install any electrical lighting, heating or power wire circuit or circuits or apparatus in or on any building or marquee, structure or addition thereto, within the corporate limits of the City of Bend unless the same shall be inconformity with the rules and regulations and requirements for the installation of electric wiring and apparatus for electric lights, heat andpower as the same are now established, together with any ammendments and changes made from time to time, as are set forth in what is known as the National Electric Code, and which Code is hereby adopted and approved by this Ordinance, and any and all such electrical installations shall conform to the said National Electric Code and this ordinance and the State of Oregon, and in case of conflict of the said National Electric Code and this ordinance with the laws of the State of Oregon, it shall be understood that the laws of the State of Oregon shall govern. Before any such electric wiring shall be commenced in or on any building, marquee, structure or addition thereto, a written permit must be obtained from the Recorder of the City of Bend authorizing the person, firm or corporation therein named to do or perform the said electric wiring and designate the location where the same is to be performed No such electrical wiring shall be commenced, as aforesaid, until such permit has been obtained.

SECTION 2. After any electric wiring shall have been completed in or on any building,marquee, structure or addition thereto for which a permit has been issued, the person or persons, firm or corporation who performed the same must immediately notify the Inspector of the completion of the work and must keep said work open for inspection by said Inspector to inspect the same and until he shall have examined and approved the same, and issued a certificate of such inspection. It shall be the duty of the Inspector upon receiving said notice to inspect said electric wiring and if same has been performed in accordance with the rules and regulations as set forth in this Ordinance, he must issue a certificate to such effect, and deliver the same to the person, firm or corporation having done the wiring, but if not performed in accordance with said rules and regulations, he shall withhold such certificate until all defects are remedied. The Inspector shall inspect the work within 48 hours after receiving notice that the work is ready for inspection.

SECTION 3. It shall be unlawful for any electric light or power company to do any wiring of any nature in or on any building except their own power house or sub-station, for which a permit has not been issued,or to make any electrical connections to any building until a final certificate of inspection and approval of the work has been issued by the Inspector.

SECTION 4. There is hereby added to the duties of the Chief of the Fire Department the powers and duties of Inspector of electric wiring, and such Inspector shall have the right to enter all buildings where electric wiring exists for the purpose of inspecting the same, and he shall not be interested directly or indirectly in any firm doing electrical work subject to his inspection.

SECTION 5. The said Inspector is hereby empowered to inspect or reinspect all wiring in or on buildings and apparatus conducting electric current for light, heat and power, and when said conductors or apparatus are found to be unsafe to life or property, he shall notify the person, firm or corporation using or operating them to place the same in a safe and secure condition within ten (10) days. Any person, firm or corporation failing or refusing to repair, change or remove same within ten days, or within such further time as the Inspector deems necessary, after receipt of such notice, shall be subject to the penalty hereinafter provided.

SECTION 6. All installations, changes, alteration, extension or repairs hereafter made in electric installations, shall be done in accordance with this Ordinance.

SECTION 7. The City of Bend shall receive, as compensation for the work herein provided for, the following fees:

All concealed, open, moulding and conduit work

1 to 5 Outlets	$ .50
6 to 10 Outlets	1.00
11 to 30 Outlets	1.50
31 to 50 Outlets	2.00
51 to 100 Outlets	2.50
101 to 200 Outlets	3.00
201 and more Outlets	5.00
Motors, 1 machine	1.00
Each additional machine	.50
Rectifiers	1.00
Electris Signa	1.00
Electric Range, and Electric Water Heater or either thereof	1.00

SECTION 8. In case the Inspector shall find that there are more outlets than the building permit provides for, he shall refuse a final certificate of inspection until the said further fees have been paid to the Recorder of the City ofBend, in accordance with Section 7 hereof.

SECTION 9. All work concealed in any manner which will not permit a full inspection will not be accepted, and for each necessary visit required on account of defects of poor construction, an additional fee of 50% of the original fee will be charged to and paid by the person, firm or corporation doing the work.

SECTION 10. No electrical work, as provided for herein, shall be performed by any person, firm or corporation unless the person performing such work and installations shall be licensed to do such work by the State of Oregon, and in addition thereto the electrical contractor shall pay the City of Bend the following fees:

Electrical Contractor (initial Registration)	$100.00
Electrical Contractor (Renewal)	$ 50.00

Said fees herein specified shall be understood to cover the period ending one year from date of issue, and any renewal as provided for herein shall be had on or before thirty (30) days after date of expiration. Otherwise, the applicant shall be considered an initial

registration and the one hundred dollar fee will apply. Except that nothing in this Ordinance shall be construed to prevent or prohibit an owner from doing his own wiring without a license.

SECTION 11. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $50.00 or by imprisonment in the City Jail not to exceed 25 days, or by both such fine and imprisonment.

SECTION 12. Ordinances N.S. 113 and N.S. 216, and all other Ordinances or parts of Ordinances in conflict herewith, are hereby repealed.

SECTION 13. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health and safety of the City of Bend, in this: That a proper restriction with reference to fire hazards should at all times be maintained within the City of Bend, and that all electrical wiring should be installed in such a manner as to insure against fire hazards; it is deemed necessary that an emergency be declared to exist, and the same hereby is so declared, and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time March 20th, 1940.

Read for the second time April 3rd, 1940.

Put upon its passage April 3rd, 1940.

Yeas 3

Nays 0

Submitted to and approved by the Mayor, this 3rd day of April, 1940.

F. S. Simpson
Mayor.

ATTEST:

L. G. McReynolds
Recorder of the City of Bend.

ORDINANCE N.S. 261

An Ordinance vacating that portion of South Third Street and Woodland Boulevard described as:

Beginning at the Southeast corner of Lot 1 in Block 70 of Bend Park, according to the official plat, and running thence West 50 ft. to a point; thence North 50 feet to a point which intersects the West side of said Lot 1; thence Southeasterly on a curved line on the Southwesterly side and end of said Lot to the point of beginning, and

Beginning at the Northeasterly corner of Lot 6 in Block 73 of Bend Park, according to the official plat, and running thence West 50 ft. to a point; thence South 50 feet to a point which intersects the West side of said lot 6; thence Northeasterly on a curved line of the Northwesterly side and end of said Lot to the point of beginning, and

Beginning at the Northwest corner of Lot 6 in Block 72 of Bend Park, according to the official plat, and running thence North 10 feet; thence East parallel to and 10 feet distant from the North ends of Lots 2, 3, 4, 5 and 6 of said Block, a distance of 290.09 feet, to a point North of the easterlymost side of Lot 1, of said Block; thence South to a point on the easterlymost side of said Lot 1; thence Northwesterly and West along the Northerly and North side of said Block 72 to the place of beginning, and also

Beginning at the Southwest corner of Lot 6 in Block 71 of Bend Park, according to plat, and running thence South 10 feet; thence East parallel to and 10 feet distant from the South ends of Lots 2, 3, 4, 5 and 6 of said Block, a distance of 291.25 feet to a point South of the easterlymost side of Lot 1, of said Block; thence North to a point on the easterlymost side of said Lot 1;

thence Southwesterly and West along the Southerly and South side of said Block to the place of beginning.

WHEREAS, the owners of all the Lots and parcels of land located on or adjacent to South Third Street and Woodland Boulevard, lying between the West end of Woodland Boulevard to and across South Third Street, and for a distance of 50 feet East of the East line of South Third Street, and the owners of more than two-thirds of the area of the other property affected have filed in the office of the Recorder of the City of Bend a petition praying for the vacation of a portion of South Third Street and portions of Woodland Boulevard, and that the said petition contained all required signatures as provided for by law, and

WHEREAS, the said petition was filed with the Recorder of the City of Bend on the 6th day of March, 1940, and

WHEREAS, THE SAID PETITION WAS CONSIDERED by the City Commissioners of the City of Bend on the 6th day of March, 1940, at a regular meeting held at said time, and no reason manifestly existing why the said petition should not be allowed, and upon motion duly seconded and carried, Wednesday, the 17th day of April, 1940, at the hour of 8 o'clock P.M., in the Commission Chambers in the City Hall, Bend, Oregon, was and is the time and place fixed for a formal hearing on said petition, and

WHEREAS, in accordance with said motion, the Recorder of the City of Bend did, on the 11th day of March, 1940, duly post a Notice of Street Vacation at each end of the street proposed to be vacated, to-wit: 50 ft. west of the intersection of Woodland Boulevard and South Third Street, and another one at the West end of Woodland Boulevard, both in Bend, Oregon, and that the said notices were duly posted by nailing the same to a tree and post located at said points, and that the said notice was likewise duly published in the Bend Bulletin for four consecutive weeks, the first publication being the 7th day of March, 1940, and the last publication being the 28th day of March, 1940, and that copy of said notice, as published and posted, is duly on file in this proceeding together with the affidavit of posting and publication, and

WHEREAS, it appearing that the petitioners are the owners of all the real property adjacent to and immediately joining the said streets and are the only parties affected by the vacation of any portion of the streets, and

WHEREAS, upon the hearing of said petition by the Commissioners of the City of Bend, as set forth in said notice of Street Vacation, no objections were interposed to the vacation of said streets, and at this time no reason exists why the said petition should not be granted, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. That all that part of South Third Street and Woodland Boulevard, described as follows, to-wit:

Beginning at the Southeast corner of Lot 1, in Block 70 of Bend Park, according to the official plat, and running thence West 50 feet to a point; thence North 50 feet to a point which interesects the West side of said Lot 1; thence Southeasterly on a curved line on the Southwesterly side and end of said Lot to the point of beginning, and

Beginning at the Northeasterly corner of Lot 6 in Block 73 of Bend Park, according to the official plat, and running thence West 50 feet to a point; thence South 50 feet to a point which intersects the West side of said Lot 6; thence Northeasterly on a curved line of the Northwesterly side and end of said Lot to the point of beginning, and

Beginning at the Northwest corner of Lot 6 in Block 72 of Bend Park, according to the official plat, and running thence North 10 feet; thence East parallel to and 10 feet distant from the North ends of Lots 2, 3, 4, 5 and 6 of said Block, a distance of 290.9 feet, to a point North of the easterlymost side of Lot 1 of said Block; thence South to a point on the easterlymost side of said Lot 1; thence Northwesterly and West along the Northerly and North side of said Block 72 to the place of beginning, and also

Beginning at the Southwest corner of Lot 6 in Block 71 of Bend Park, according to plat, and running thence South 10 feet; thence East parallel to and 10 feet distant from the South ends of Lots 2, 3, 4, 5 and 6 of said Block, a distance of 291.25 feet to a point South of the easterlymost side of Lot 1 of said Block; thence North to a point on the easterlymost side of said Lot 1; thence Southwesterly and West along the Southerly and South side of said Block to the place of beginning,

be, and the same hereby is vacated;

Read for the first time April 17, 1940.
Read for the second time May 1st, 1940.
Put upon its passage May 1st, 1940.

Yeas -- 3

Nays 0

Submitted to and approved by the Mayor this 1st day of May, 1940,

F. S. Simpson
Mayor.

ATTEST:

LucileEuston
Recorder of the City of Bend.

ORDINANCE NO. N.S. 262

An Ordinance vacating that portion of East Eleventh Street and Seward Avenue described as:

All that portion of Benhm Way now known as East Eleventh Street in Wiestoria, now a part of the City of Bend, Deschutes County, Oregon, between Ironwood Avenue, now known as Revere Avenue and the County Road bounding the north city limits of the City of Bend, known as the Barnes Road, and all that portion of Jasmine Avenue, now known as Seward Avenue in Wiestoria, now a part of the City of Bend, Deschutes County, Oregon, between Benhm Way now known as East Eleventh Street and the Easterly limits of the City of Bend.

WHEREAS, the owners of all the lots and parcels of land located on or adjacent to said proposed vacation and the owners of more than two-thirds of the area of the other property affected thereby have consented in writing to such vacation so proposed, which consents have heretofore been filed in the office of the Recorder of the City of Bend, and

WHEREAS a petition praying for the vacation of said described streets was filed with the Recorder of the City of Bend on the 1st day of May, 1940, and

WHEREAS the said petition was considered by the City Commissioners of the City of Bend on the 1st day of May, 1940 at a regular meeting held at said time, and no reason manifestly existing why the said petition should not be allowed, and upon motion duly seconded and carried, Wednesday the 5th day of June, 1940, at the hour of 8:00 P.M. in the Commission Chambers in the City Hall, Bend, Oregon, was and is the time and place fixed for a formal hearing on said petition, and

WHEREAS in accordance with said motion, the Recorder of the City of Bend did onthe 2nd day of May, 1940, duly cause to be posted a notice of street vacation at each end of the street proposed to be vacated and that the said notices were duly posted by tacking them to a post located at said points and that said notice was likewise duly published in the Bend Bulletin for four successive and consecutive weeks, the first publication being the 2nd day of May, 1940, and the last publication being the 23rd day of May, 1940, and that a copy of said notice as published and posted is duly on file in this proceeding together with the affidavit of posting and publishing, and

WHEREAS upon the hearing of said petition by the Commissioners of the City of Bend as set forth in said notice of street vacation, no objections were interposed to the vacation of said streets and at this time no reason exists why the said petition should not be granted, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. That the following described portions of East Eleventh Street and Seward Avenue described as follows, to-wit:

All that portion of Benhm Way now known as East Eleventh Street in Wiestoria, now a part of the City of Bend, Deschutes County, Oregon, between Ironwood Avenue, now known as Revere Avenue and the County Road bounding the north city limits of the City of Bend, known as the Barnes Road, and all that portion of Jasmine Avenue, known as Seward Avenue in Wiestoria, now a part of the City of Bend, Deschutes County, Oregon, between Benhm Way now known as East Eleventh Street and the Easterly limits of the City of Bend.

be, and the same hereby are, vacated.

Read for the first time June 5th, 1940.
Read for the second time June 19th, 1940.
Put upon its passage June 19, 1940.

Yeas 2

Nays 0

Submitted to and approved by the Mayor this 19th day of June, 1940.

ATTEST: F. S. Simpson
Mayor.

George Simerville
Recorder of the City of Bend.

ORDINANCE NO. N.S. 263

An Ordinance to amend Section 4 of Ordinance N.S. 248 regulating and licensing novelty machines and other devices and games operated as amusement games only, and providing a penalty for the violation of said Ordinance, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 4 of Ordinance N.S. 248 be and the same hereby is amended to read as follows:

SECTION 4. Any of the devices or games or machines described in Sections 2 and 3 hereof shall pay a license fee of $10.00 per month for each of said machines, payable monthly in advance on the 1st day of each and every month, and any license fee so paid shall, under no circumstances, be refunded.

SECTION 13. Inasmuch as the City of Bend is about to license and regulate games, machines and devices as in this Ordinance described, and inasmuch as the license fee provided by Ordinance N.S. 248 is considered excessive and that such machines should be regulated, it is deemed that this Ordinance is necessary for the immediate preservation of the public health, safety and peace of the City of Bend, an emergency is therefore hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the City Commission and its approval by the Mayor.

Read for the first time June 12th, 1940.
Read for the second time July 8th, 1940.
Put upon its passage July 8th, 1940.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 8th day of July, 1940.

ATTEST: F. S. Simpson
Mayor.

George Simerville
Recorder of the City of Bend.

ORDINANCE NO. N.S. 264

An Ordinance to amend Section 2 of Ordinance N. S. 121, as amended by Ordinance N. S. 151, the same being an Ordinance regulating the irrigation and sprinkling of lawns and gardens, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 2 of Ordinance N. S. 121, as amended by Ordinance 151, be, and the same hereby is, amended to read as follows:

SECTION 2. During the irrigation season, as herein defined, water users on the even numbered side of public thoroughfares shall irrigate and sprinkle on the even numbered days of each month, and the water users on the odd numbered side thereof shall irrigate, and sprinkle on the odd numbered days of each month provided, however, that on the 31st day of any month users on the even numbers of any thoroughfare shall sprinkle only during the hours from 5 in the morning until 12 noon, and the users on the odd numbered side of said thoroughfares shall use water only from 12 o'clock noon until 9 o'clock P.M., and provided further that no person, firm or corporation shall so irrigate and sprinkle before the hour of 5 o'clock A.M. or later than the hour of 9 o'clock P.M. of any day.

SECTION 3. By reason of a water shortage and the hot and extremely dry season, and the large amount of water being drawn from the reservoirs of the Water Department, and there is danger of still a further shortage unless immediate steps are taken to conserve the same, therefore, this Ordinance is necessary for the immediate preservation of the public health, safety and peace of the City of Bend, an emergency is therefore hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the City Commission and its approval by the Mayor.

Read for the first time July 8th, 1940.
Read for the second time July 17th, 1940.
Put upon its passageJuly 17th, 1940.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 17th day of July, 1940.

F. S. Simpson
Mayor.

ATTEST:

George Simerville
Recorder of the City of Bend.

ORDINANCE N.S. 265

AN ORDINANCE TO ESTABLISH A SINKING FUND FOR THE PURPOSE OF DEFRAYING THE COST OF ADDITIONAL FIRE FIGHTING EQUIPMENT.

The City of Bend does ordain as follows:

Section 1. This Ordinance establishes a sinking fund for the purpose of defraying the cost of acquiring additional fire fighting equipment.

Section 2. The sinking fund shall be created through the inclusion, annually, within the tax budget of the City of Bend of items representing the yearly installments to be credited to the fund.

Read for the first time October 16, 1940.

Read for the Second time November 6, 1940.

Put upon its passage November 6, 1940.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of November, 1940.

F. S. Simpson
Mayor.

ATTEST:

George Simerville
Recorder of the City of Bend.

ORDINANCE N.S. 265

AN ORDINANCE TO ESTABLISH A SINKING FUND FOR THE PURPOSE OF DEFRAYING THE COST OF ADDITIONAL FIRE FIGHTING EQUIPMENT.

The City of Bend does ordain as follows:

Section 1. This ordinance establishes a sinking fund for the purpose of defraying the cost of acquiring additional fire fighting equipment.

Section 2. The sinking fund shall be created through the inclusion, annually, within the tax budget of the City of Bend of items representing the yearly installments to be credited to the fund.

Read for the first time October 16, 1940.

Read for the Second time November 6th, 1940.

Put upon its passage November 6th, 1940.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of November, 1940.

F. S. Simpson-Mayor.

ATTEST:

George Simerville
Recorder.

2RBGd

ORDINANCE N. S. Number 150

AN ORDINANCE REQUIRING ANY PERSON, FIRM OR CORPORATION MAINTAINING AND/OR OPERATING ANY SYSTEM FOR THE TRANSMISSION OF ELECTRIC POWER BY USE OF WIRE OR CABLE WITHIN THE CITY OF BEND, DESCHUTES COUNTY, OREGON, TO PAY UNTO THE CITY OF BEND CERTAIN SUMS OF MONEY FOR THE USE OF THE PUBLIC STREETS, ALLEYS AND?OR PUBLIC GROUNDS OF THE CITY OF BEND.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Section 1. Any person, firm or corporation, now or hereafter, maintaining and/or operating any system for the transmission of electrical power by use of wire or cable within the City of Bend, Deschutes county, Oregon, and in connection therewith using the streets, alleys and/or public grounds of said City upon which to erect and maintain any post or pole to support the wires or cable, or any apparatus in connection with such transmission, shall pay to the City of Bend the sum of twenty ~~five~~ cents a month for each and every post or pole placed and maintained by any such person, firm or corporation, for such purpose, upon any of the streets, alleys and/or public grounds of the said City, for the privilege of, and as compensation for, such use of said streets, alleys and/or public grounds.

Section 2. The sums payable hereunder shall be due and payable monthly in advance, on the first day of each and every month after this ordinance shall go into full force and effect, and may be recovered in any appropriate suit, action or proceeding prosecuted in any court of competent jurisdiction in the name of the City of Bend.

Section 3. Nothing herein contained shall be construed as recognizing, creating or granting a franchise to any person, firm or corporation to maintain and/or operate any system for the transmission of electrical power or to conduct such a business in the City of Bend.

First Reading, March 19, 1930.
Second Reading, ~~March 31~~ May 7, 1930.

YEAS 3

NAYS 0

Approved by the Mayor this ~~31st~~ 7th day of ~~March~~ May, 1930

Thos. Dodge.
Mayor

ATTEST:

E. M. Reynolds
Recorder

Repealed By #165

ORDINANCE N.S. #151

An Ordinance to Amend Sections One and Two of Ordinance N. S. 121, and declaring an Emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Sec. 1. That Section 1 of Ordinance N. S. 121 be, and the same is hereby, amended to read as follows, to-wit:-
"Sec. 1. The irrigations season in the City of Bend, for the sprinkling and irrigating of lawns and gardens, shall extend from April 1st to November 1st, both inclusive, of each year."

Amended by 264

Sec. 2. That Section 2 of Ordinance N. S. 121 be, and the same is hereby, amended to read as follows, to-wit:-
"Sec. 2 During the irrigation season, as herein defined, water users on the even numbered side of public thorough-fares shall irrigate and sprinkle on the even numbered days of each month, and the water users on the odd numbered side thereof shall irrigate and sprinkle on the odd numbered days of each month, provided however, that on the 31st day of any month users on both sides of any thorough-fare may so irrigate and sprinkle, and provided further, that no person, firm or corporation, shall so irrigate and sprinkle before the hour of Four o'clock A. M., or later than the hour of Eleven o'clock P. M. of any day.

Sec. 3. Whereas the sprinkling season this year is more than one month earlier than is ordinarily necessary in this community, and large amounts of water are being drawn for the reservoirs of the water department, and there is danger of a shortage unless this Ordinance takes immediate effect, it is hereby declared that an emergency exists and this Ordinance shall be in full force and effect from and after the day of its passage and approval by the Mayor.

Read the First time April 16, 1930
Read Second Time May 7, 1930.

YEAS 3

NAYS 0

Approved this 7th day of May, 1930.

Thos. S. Foot.
Mayor

ATTEST:

G. M. Reynolds
Recorder

Amended by 264

151

ORDINANCE N. S. 152

An Ordinance to Amend Section 5 of Ordinance N. S. 112, and Declaring an Emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Sec. 1. That Section 5 of Ordinance N. S. 112, be and the same is hereby amended to read as follows, to-wit:-

"Sec. 5. The parking of automotive vehicles upon the following described public streets within the City of Bend between the hours of One o'clock A. M. and Five O'clock A. M. is hereby forbidden. The streets or parts thereof coming within the prohibition of this Section are as follows:- Brook street, Wall street and Bond street between the southerly side of ~~Franklin~~ Greenwood Avenue and the northerly side of Franklin Avenue; Greenwood Avenue, Oregon Avenue, Minnesota Avenue and Franklin Avenue between the westerly side of Brook street extended and the easterly side of Bond street extended. The parking of automotive vehicles on the westerly side of Wall street between the Southeast corner of Block 3 of Bend, the northerly line of the property occupied and owned by the Pilot Butte Inn is hereby limited to five minutes.

Sec. 2. Whereas the City has purchased, at some considerable expense, equipment for the flushing of said streets, and the parking of cars, during the hours aforesaid, will hinder and render useless the said equipment for such purpose an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage and the approval of the Mayor.

Read First Time, April 16, 1930
Read Second Time, May 7, 1930

Approved by the Mayor this 7th day of May, 1930

_____
Mayor

ATTEST:-

_____
Recorder

152

ORDINANCE N. S. 153

An Ordinance Amending Section 1 of Article VIII of Ordinance N. S. 140

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Section 1 of Article VIII of Ordinance N. S. 140 be, and the same is hereby amended to read as follows, to-wit:-

Sec. 1. It shall be unlawful for any person, firm or corporation to own and/or operate, within the corporate limits of the City of Bend, any billiard, card and/or pool room without first securing a license therefor. A billiard, card and/or pool room shall, for the purposes of this Article, be deemed to be any place where one or more billiard, card and/or pool tables are maintained, whether or not a charge is made for the use thereof; provided, however, that such rooms when operated and owned by a fraternal organization and conducted on the premises of such organization, and all such rooms maintained in private homes and not open to use by the general public, shall be exempt from the provisions of this Article.

Read the First Time, April 16, 1930.
Read the Second Time, May 7, 1930.

YEAS 3

NAYS 0

Approved this 7th day of May, 1930.

Geo. Love.
Mayor

ATTEST:

E. M. Reynolds
Recorder

153

ORDINANCE N. S. 154

An Ordinance Amending Ordinance N. S. 118, by adding thereto a new section to be known as Section 19-A

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Ordinance N. S. 118 be, and the same is hereby amended, by adding thereto a new section, to be known as section 19-A, said section to read as follows to-wit:-

Sec. 19-A It shall be unlawful for any person, firm or corporation to operate any gasoline motor boats or steam propelled boats upon the water of the Deschutes river within the limits of the City of Bend.

Read the First Time, April 16, 1930
Read the Second Time, May 7, 1930.

YEAS 3

NAYS 0

Approved this 7th day of May, 1930.

Thos. Howe.
Mayor

ATTEST:

E. M. Reynolds
Recorder

ORDINANCE N S 155

AN ORDINANCE granting unto The Pacific Telephone and Telegraph Company, its successors and assigns, the right to do a general telephone and telegraph business within the City of Bend, Deschutes County, Oregon, and the right to place, erect, lay, maintain, operate, repair, remove or replace, in, upon and under the streets, alleys, avenues, thoroughfares, public highways and public grounds in said City, poles, conduits, wires, cables and other appliances, and conductors for the transmission of electricity for telephone and telegraph purposes.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby granted by the City of Bend, Deschutes County, Oregon unto The Pacific Telephone and Telegraph Company, its successors and assigns, the right and privilege to do a general telephone and telegraph business within said City of Bend and to place, erect, lay, maintain and operate, repair, remove or replace, in, upon and under the streets, alleys, avenues, thoroughfares, public highways and public grounds, within the City of Bend, poles, conduits, wires, cables, and other appliances and conductors for the transmission of electricity for telephone and telegraph purposes. Such wires, cables, and other appliances, and conductors may be strung on poles and other fixtures above ground or at the option of the grantee, its successors and assigns, may be laid underground in pipes or conduits or otherwise protected, and such other apparatus may be used as may be necessary or proper to operate and maintain same.

Section 2. It shall be lawful for said The Pacific Telephone and Telegraph Company, its successors and assigns, to make all needful excavations in any of the streets, alleys, avenues, thoroughfares, public highways and public grounds in said City for the purpose of placing, erecting, laying and maintaining poles, conduits and other supports or conductors for said wires and cables or repairing, removing or replacing the same. Said work shall be done in compliance with the necessary rules, regulations, ordinances or orders now existing, or which may, during the continuance of this franchise, be adopted from time to time by the City of Bend.

Section 3. Whenever The Pacific Telephone and Telegraph Company, its successors and assigns, shall disturb any of the streets or public grounds for the purpose aforesaid, it or they shall restore the same to good order and condition as soon as practicable without unnecessary delay, and failing to do so the City of Bend shall have the right to fix a time which shall be reasonable within which such repairs and restoration of streets shall be completed, and upon failure of such repairs being made by said The Pacific Telephone and Telegraph Company, its successors and assigns, the City of Bend may cause such repairs to be made at the expense of said The Pacific Telephone and Telegraph Company, its successors and assigns.

Section 4. Nothing in this ordinance shall be construed in any wise to prevent the proper authorities of said City of Bend from sewering, grading, planking, rocking, paving, repairing, altering or improving any of the streets, alleys, avenues, thoroughfares and public highways or places within said City of Bend in or upon which the poles, wires, or other conductors of said The Pacific Telephone and Telegraph Company shall be placed, but all such work or improvements shall be done so as not to interrupt the telephone or telegraph service being rendered by The Pacific Telephone and Telegraph Company, and if possible, so as not to obstruct or prevent the free use of said poles, wires, conductors, conduits, pipes or other apparatus.

Section 5. Whenever it becomes necessary to temporarily rearrange, remove, lower or raise the aerial cables or wires or other apparatus of the grantee to permit the passage of any building, machinery or other object, the said grantee will perform such rearrangement on seven (7) days' written notice to its Manager at Bend from the person or persons desiring to move said building, machinery or other objects. Said notice shall bear the approval of the City Engineer or such other official as the City Commission may designate, shall detail the route of movement of the building, machinery or other objects, shall provide that the costs incurred by the grantee in making such rearrangment of its aerial plant will be borne by the person or persons giving said

notice and shall further provide that the person or persons giving said notice will indemnify and save said grantee harmless of and from any and all damages or claims or whatsoever kind or nature caused directly or indirectly from such temporary rearrangement of aerial plant of the grantee.

Section 6. In consideration of this franchise and the rights and privileges hereby granted, the City of Bend shall have, and The Pacific Telephone and Telegraph Company hereby grants to it, the right and privilege to place, where aerial construction exists, a fixture on the tops of poles erected and maintained under this franchise to which may be attached wires not exceeding four, and where underground conduit exists the said The Pacific Telephone and Telegraph Company shall furnish the said City with one duct in its underground system, or two pairs of wires in its underground cable, free of charge to said City, to be used for low tension police and fire alarm purposes, it being understood that it shall be optional with the grantee as to whether two pairs of wires shall be given or a duct in the underground system. Provided, however, that said The Pacific Telephone and Telegraph Company shall not be responsible in any manner whatsoever for damages caused by the failure of said police or fire alarm systems, or any part thereof, to operate, and the City of Bend hereby agrees to hold said The Pacific Telephone and Telegraph Company harmless of and from any and all claims, damages or liability of any kind whatsoever caused, directly or indirectly, by the failure of said police or fire alarm systems, or any parts thereof, to operate.

Section 7. From and after the date of acceptance of this franchise and until its expiration, said grantee, its successors and assigns, shall pay annually to the City of Bend the sum of Six Hundred Dollars, ($600.00) per annum. Payment of said Six Hundred Dollars shall be made on or before the 15th day of March of each and every year for the then calendar year, with the exception that in the year 1930, payment shall be made on or before September 1, 1930 for the period commencing on the date of this franchise and ending December 31, 1930.

Section 8. On the expiration of the term for which this franchise is granted, the City of Bend may in any lawful manner and upon payment of a fair valuation lawfully ascertained, purchase and take over to itself the property and plant of the grantee, its successors and assigns, in its entirety as the same may be situated on, in, above or under the streets of the City of Bend, provided, however, that said valuation shall not include any sum for the value of this franchise, Upon payment by the City of Bend of a fair valuation, as above stated, the plant and property so acquired shall become the property of the City of Bend without formal execution of any instrument of conveyance.

Section 9. The rights, privileges and franchise hereby granted shall be subject to forfeiture at any time if the grantee, its successors or assigns, shall fail to comply with the terms and conditions of this ordinance, provided, however, the City of Bend shall first notify the grantee, its successors or assigns, stating the particulars in which there has been a failure to comply with the terms and conditions of this ordinance and thereafter if the grantee, its successors or assigns, shall fail to remedy the same within ninety days, or such further time as the Commission deems reasonable, then in that event the City of Bend may repeal this ordinance and declare the rights and privileges hereby granted to be null and void.

Section 10. The rights, privileges and franchise hereby granted shall continue and be in force for the period of twenty (20) years from and after the date of the passage of this ordinance.

Read the First time May 21, 1930.
Read the Second time June 6, 1930.

Submitted and approved this 6th day of June 1930.

Yeas 2

Geo. S. Foe
Mayor.

Nays 0

Attest: Chas. F. Reynolds
Recorder.

Ordinance N.S. 156

AN ORDINANCE PROHIBITING THE SALE OF OR THE DISCHARGE OR FIRING OF FIREWORKS AND OTHER PYROTECHNIC DISPLAYS. and providing a penalty.

The City of Bend Does Ordain:

Section 1. The discharge, firing or use of firecrackers, rockets, torpedoes, Roman candles or other fireworks or substances designed and intended for pyrotechnic display and of pistols, canes, cannons or other appliances, using blank cartridges or caps containing chlorate of potash mixture is hereby prohibited. Provided, that the ~~mayor or council~~ City Commission may permit the public display of fireworks by properly qualified individuals. Provided, also that such display or displays shall be of such a character and so located, discharged or fired as, in the opinion of the chief of the fire department, shall not be hazardous to surrounding property or endanger any person or persons.

Section 2. The sale of fireworks at retail is prohibited. The chief of the fire department may, at his discretion, remove or have removed, at the owner's expense all stocks of fireworks or other combustibles exposed for sale or held in stock in violation of this ordinance.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and be fined not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) for each day's neglect of compliance.

Section 4. Whereas at this time there exists a dangerous fire hazard by the reason of use and sale of fire works within the City and an emergency thereby exists this ordinance shall be in full force and effect from and after its passage by the Commission and its approval by the Mayor.

Read first time, June 30th, 1930.

Recorder

Second Reading, Sept. 21st, 1932.
Put upon its passage Sept. 21st, 1932.
Yeas: 3
Nays: 0
Submitted to and approved by the Mayor, this 21st day of Sept. 1932.

Attest:
Recorder.

Mayor

156

ORDINANCE N.S. 156.

AN ORDINANCE PROHIBITING THE SALE OF OR THE DISCHARGE OR FIRING OF FIREWORKS AND OTHER PYROTECHNIC DISPLAYS, AND PROVIDING A PENALTY.

THE CITY OF BEND DOES ORDAIN:

Section 1. The discharge, firing or use of firecrackers, rockets, torpedoes, Roman candles or other fireworks or substances designed and intended for pyrotechnic display and of pistols, canes, cannons or other appliances, using blank cartridges or caps containing chlorate of potash mixture is hereby prohibited. Provided, that the Commission permit the public display of fireworks by properly qualified individuals. Provided, also that such display or displays shall be of such a character and so located, discharged or fired as, in the opinion of the chief of the fire department, shall not be hazardous to surrounding property or endanger any person or persons.

Section 2. The sale of fireworks at retail is prohibited. The chief of the fire department may, at his discretion, remove or have removed, at the owner's expense all stocks of fireworks or other combustibles exposed for sale or held in stock in violation of this ordinance.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and be fined not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) for each day's neglect of compliance.

Section 4. Whereas at this time there exists a dangerous fire hazard by the reason of use and sale of fire works within the City and an emergency thereby exists this ordinance shall be in full force and effect from and after its passage by the Commission and its approval by the Mayor.

ORDINANCE N. S. 157

AN ORDINANCE VACATING THE ALLEY INN BLOCK ONE (1) OF THE RECORDED PLAT OF STATE HIGHWAY ADDITION TO BEND, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS, the owners of all lots and parcels of land located within Block One (1) of the recorded plat of State Highway Addition to Bend, Oregon, duly filed in the office of the Recorder of the City of Bend, Oregon, a petition praying for the vacation of all of the alley in said Block One (1); and

WHEREAS, said petition was so filed on the 19th day of June, 1930; and

WHEREAS, notice of the filing of said petition was duly given by posting written notices thereof at three of the most public places in the City of Bend on the 19th day of June, 1930, and more than thirty days prior to the hearing, by the Commission of the City of Bend, upon said petition, all as more fully appears from the affidavit of Robert B. Gould, City Engineer of said City, now on file herein; and

WHEREAS, it appears that the petitioners are the owners of all the lots and parcels of land in said Block One (1) of the recorded plat of State Highway Addition to Bend and are the only parties to be affected by the vacation thereof; and

WHEREAS, upon the hearing of said petition, by the Commission of the City of Bend, no objections were interposed to the granting of the prayer therein contained, and no reason appears why the same should not be granted; now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That all of the alley in Block One (1) of the recorded plat of State Highway Addition to the City of Bend, Oregon, be, and the same is hereby, vacated.

Sec. 2. Inasmuch a considerable amount of improvement for the area contained within the limits of said area proprosed to be vacated and within the area adjacent thereto is pending and said improvement is contingent on the said vacation of the said described alley; and inasmuch it appears that no injury to the general public, or to any individual, will occur by the vacation of the alley hereinabove described, and emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor of the City of Bend.

Read the First Time, August 6, 1930.
Read the Second Time, August 20, 1930.

YEAS 2

NAYS 0

Submitted to and approved by the Mayor on the 20th day of August, 1930.

Geo. G. Lowe.
Mayor

ATTEST:-
Recorder.

157

ORDINANCE NO. N.S. 158

AN ORDINANCE GRANTING THE RIGHT, PRIVILEGE AND FRANCHISE UNTO NATURAL GAS CORPORATION OF OREGON, ITS SUCCESSORS AND ASSIGNS, TO LAY AND CONSTRUCT, AND TO THEREAFTER OPERATE AND MAINTAIN, REPAIR AND/OR REPLACE A SYSTEM OF CONDUITS AND PIPELINES, TOGETHER WITH SUCH FIXTURES OR APPURTENANCES AS THE GRANTEE, ITS SUCCESSOR OR ASSIGNS, MAY DEEM NECESSARY OR CONVENIENT IN CONNECTION THEREWITH, IN, UNDER, ALONG, OR ACROSS ALL PUBLIC STREETS, HIGHWAYS AND/OR ALLEYS OR OTHER PUBLIC PLACES IN THE CITY OF BEND, COUNTY OF DESCHUTES, STATE OF OREGON, FOR THE PURPOSE OF TRANSMITTING AND/OR DISTRIBUTING GAS TO THE PUBLIC FOR LIGHT, HEAT, FUEL, POWER OR ANY OTHER LAWFUL PURPOSE, FOR A TERM OF TWENTY (20) YEARS.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1.-The right, privilege and franchise to lay and construct, and to thereafter operate and maintain, repair and/or replace a system of conduits and pipelines, together with such fixtures andappurtenances as the grantee, its successors or assigns, may deem necessary or convenient in connection therewith, in, under, along or across all public streets, highways, and/or alleys or other public places in the City of Bend, County of Deschutes, State of Oregon, for the purpose of transmitting and /or distributing gas to the public for light, heat, fuel, power or any other lawful purpose, for the term of Twenty (20) years from and after the effective date of this ordinance, are hereby granted to Natural Gas Corporation of Oregon, its successors or assigns.

SECTION 2- Whenever it may be necessary or convenient in the operation or maintainence of the municipally owned water system to construct, reconstruct, or replace any of the property of any of the said municipally owned water system, and such construction, reconstruction, or replacement renders necessary the removal, readjustment, relocation or change of any of the conduits, pipes, or other facilities, or appliances of said grantee, then and in such event said removal, readjustment, relocation or change of property of said grantee shall be done by and at the sole expense of the grantee, its successors or assigns.

SECTION 3- That nothing in this ordinance shall be deemed or construed to limit the power of the proper authorities of said City of Bend to prosecute and maintain public improvements, and whenever in the prosecution or maintenance of such improvements it becomes necessary or convenient to remove, readjust, relocate or change any of the grantees pipes, conduits, or other facilities or appliances located in the public streets, highways and/or alleys, the same shall be done by and at the sole expense of the grantee, its successors or assigns.

SECTION 4-That the grantee by its acceptance of this ordinance and franchise rights, privileges and authority hereby granted, for itself, its successors or assigns, covenants and agrees to and with the City of Bend at all times to protect and save harmless the said city from all claims,actions, suits, liability, loss, cost, expense or damage of every kind and description which may accrue and/or be suffered by any person or persons arising out of the neglect of the grantee in the erection, construction, re-construction, relocation, replacement, readjustment, maintenance, operation, repair or the use of the conduits, pipes and other facilities and appliances solely owned and operated by said grantee, its successors or assigns.

SECTION 5-Whenever the said Natural Gas Corporation of Oregon, its successors or assigns, shall disturb any of the streets, allayes, avenues, roads, highways, thoroughfares, parkings,

bridges and/or sidewalks in said city, for the purposes aforesaid, it or they shall restore the same to good order and condition as soon as practicable and without unncesssary delay; and particularly any excavation or part of excavation made for the purpose of laying pipes or other apparatus or repair of same under this franchise in what is commonly known as the main business streets of said City of Bend, shall be permitted to remain open no longer than five (5) days after the excavation is made, except upon the written consent of the City Manager.

SECTION 6- All gas pipes shall be laid so that the top of the said pipes shall be at a depth of not less than Twenty (20) inches below the established or officials grade of the street, alley or other public thoroughfare aforesaid, except where heavy rock is encountered, when in such instances said pipe may be laid at a lesser depth with the consent of the City Engineer: provided, however, that in cases where grades have not been established such pipes shall be laid at a depth of not less than Thirty (30) inches below the existing surface of such street, alley or other public thoroughfare aforesaid, except where, on account of heavy rock excavation, the said Engineer consents to a lesser depth, and provided further that the Commission of said City hereby reserves the right to change or establish the grade of any of its streets, alleys, or public thoroughfares aforesaid, and to require the grantee of said franchise, its succrssors or assigns, to relay any of its pipes so as to conform to the same.

SECTION 7- Nothing in this ordinance shall be construed as granting an exclusive franchise or privilege for the use of any street, alley, avenue or public highway or any part thereof, provided however, that the city or any public utility in the construction of any water mains or other facilities shall have due regard to the existence of the mains and pipes of the grantee, and wherever possible shall locate and lay such water mains and facilities so as not to obstruct or interfere with the existing mains, pipes and conduits of said grantee.

SECTION 8-That the grantee of this franchise, its successors and assigns shall commence actual construction work under this franchise in good faith within not more than six (6) months from the effective date of this ordinance and shall within Eighteen (18) months after the effective date of said ordinance have in operation a gas plant, together with a distributing system which is actually delivering gas within the corporate limits of said city, provided, however, that in the event the grantee, its successors or assigns, shall be prevented from, or delayed in commencing or completing said work within the time herein specified by reason of any litigation or other cause beyond its or their control, the time for the performance of said work shall be extended for a period equal to the period of such interference or delay. Subject to this provision for extension due to delays beyond the power of the grantee, its successor or assigns, the franchise herein granted shall be declared null and void, and the same shall be forfeited if construction work is not commenced or completed within the times herein specified.

SECTION 9-The grantee of this franchise shall, prior to commencing the construction work, file with the City Manager a map, showing size and location of all pipes and the same must be approved by said City Manager before construction work may be commenced.

SECTION 10-The grantee herein for itself, its successors and assigns, covenants and agrees with the City of Bend, Oregon, a municipal corporation, that in consideration of the granting to it of the rights and privileges embraced in this ordinance, it will pay to the City of Bend, Oregon, One (1) percent of the

gross annual revenues derived after the first day of January, A.D. 1933, and One (1) percent of the gross annual revnues derived after the first day of January, A. D. 1934, and Two (2) percent of the gross annual revenues derived after the first day of January, A. D. 1935, and Two (2) percent of its gross annual revenues annually thereafter during the life of this franchise from services to its patrons now or hereafter located within the City of Bend, Oregon, the same to be paid in annual installments not less than Sixty (60) days after the end of the period herein annually specified, and that it will furnish to the City of Bend, Oregon, at the end of each such specified period a verified statement of its said gross earnings, and that it will permit the inspection of its books at reasonable hours upon the demand of the Commission of the City of Bend, Oregon.

SECTION 11- In further consideration of this franchise, the grantee will, with its acceptance, file with the City of Bend, Oregon, a Surety Bond in the amount of One Thousand($1,000) Dollars, conditioned upon the faithful performance of the terms and conditions of this ordinance, during the period of its existence.

SECTION 12-Within Thirty (30) days after the passage of this ordinance, Natural Gas Corporation of Oregon shall file with the City Recorder of the City of Bend, Oregon, its written consent and acceptance to the terms of this ordinance, provided, however, that if such consent and acceptance is not so filed, this ordinance shall be of no force and effect and this franchise will be deemed forfeited.

Read the first time, August 6, 1930
Read the second time, August 20, 1930.

YEAS: 2

NOES: 0

ABSENT: 1

Submitted to and approved by the Acting Mayor this 20th day of August 1930.

J. F. Hosch
Acting MAYOR

ATTEST:

E. W. Reynolds
RECORDER

ORDINANCE N. S. 159

AN ORDINANCE AMENDING SECTION ONE, ORDINANCE N. S. 148 AND DECLARING AN EMERGENCY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Section 1. That Section 1 of Ordinance N. S. 148 be, and the same is hereby, amended to read as follows, to-wit:-

> Section 1. Before the City Recorder of the City of Bend shall issue any building permit for the erection, construction and/or establishment of any building or buildings to be used as a gasoline service station, the applicant for such permit shall procure and file with the Recorder a petition, of property owners within a radius of five hundred feet from the center of the property on which such proposed station is to be erected, constructed and/or established, requesting the Commission of the City of Bend to allow such permit to be issued by the said Recorder: Provided, however, that the following described property within said City shall be exempt from complying with the provisions of this Ordinance, to-wit:- All real property now used for and occupied by such a service station, and all property within, abutting upon or contiguous to the following boundary line:- Beginning at a point caused by the intersection of the northerly side of Vermont Place with the westerly side of Wall street; thence southerly to the southerly side of Frenklin avenue; thence easterly to the easterly side of the alley between Bond Street and Lava Road; thence northerly to the southerly side of Irving Avnue; thence easterly to the westerly side of Harriman street; thence northerly to the southerly side of Greenwood avenue; thence easterly to the westerly side of Division street; thence northerly to the northerly side of Greenwood avenue; thence westerly to the easterly side of Bond street; thence northerly to the southerly side of Vermont Place; thence westerly to the point of beginning.

Section 2. That a considerable improvement within said City is contingent upon the immediate passage of this Ordinance, and that it is necessary for the prosperity and welfare of the people of this City that this Ordinance take immediate effect and thereby an emergency does, and is hereby declared to, exist, and this Ordinance shall take effect from and after its passage by the Commission and approval by the Mayor.

Submitted to and approved by the Mayor this 17th day of September, 1930.

Geo. Foote
Mayor

Read the First Time, September 6, 1930.
Read the Last Time, September 17, 1930.

YEAS 2

NAYS 0

ATTEST:

C. M. Reynolds
Recorder

Repealed By N.S. 247

ORDINANCE N. S. 160.

AN ORDINANCE VACATING THE ALLEY RUNNING IN AN EASTERLY AND WESTERLY DIRECTION BETWEEN LOTS EIGHT AND NINE OF BLOCK THREE AND LOTS ONE, TWO AND THREE OF BLOCK THREE OF STATE HIGHWAY ADDITION TO BEND, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS, on the 17th day of November, 1930, H. H. Hall, as Receiver of The First National Bank of Bend, Oregon, filed with the Recorder of the City of Bend, Oregon, his petition for the vacation of that certain alley running in an easterly and westerly direction and dividing Lots eight and Nine of Block three of State Highway Addition from Lots one, two and three of Block three of State Highway Addition in the City of Bend, Oregon, and duly posted notices as required by law in three of the most public places in said City of Bend, as more particularly appears from the affidavit of Jay H. Upton on file with said Recorder, and

WHEREAS, the said H. H. Hall, as Receiver of The First National Bank of Bend, Oregon, is the owner in fee of all the property bordering upon either side of the portion of said alley above described and,

WHEREAS said alley has never been opened to public use, is not travelled in any manner whatsoever and only exists by reason of the dedication thereof, and the vacation of said alley would not interfere in any manner with any public use and would not prevent the ingress or egress of any persons living in the vicinity of said Block three to any public highway and no persons other than said petitioner owns any property adjoining the portion of said alley sought to be vacated and no other person is affect by the vacation of said alley and,

WHEREAS, more than thirty days have elapsed since the filing of said petition and the posting of said notice and no objections have been filed thereto; now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the following described alley, which divides Lots eight and nine of Block three, State Highway Addition, from Lots one, two and three of Block 3 of State Highway Addition in the City of Bend, Oregon, and running in an easterly and westerly direction, be and the same is hereby vacated.

Section 2. Inasmuch as considerable improvement for the area contained within the limits of said position of said alley is pending and such improvement is contingent upon the vacation thereof, and it appearing that no injury will occur to the general public by reason thereof, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Commission of the City of Bend and its approval by the Mayor.

Read the First Time December 20, 1930.
Read the Second Time January 2, 1931.

Approved by the Mayor this 2nd day of January 1931.

Geo. E. Towe
Mayor.

Yeas 2

Nays 0

ATTEST:
C. M. Reynolds
Recorder.

160

ORDINANCE N. S. 161

AN ORDINANCE TO AMEND SECTION TWO, ARTICLE VI, ORDINANCE N. S. 140, AND DECLARING AN EMERGENCY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Sec. 1. That Section Two of Article VI of Ordinance N. S. 140 be, and the same is hereby amended to read as follows:-

Sec. 2. The word "person", whenever used in this Article, shall mean and include natural persons of both and/or each sex, co-partnerships, corporations and associations. The word "house" shall mean and include hotels, rooming and/or lodging houses where four or more rooms are equipped for sleeping purposes, and are rented for periods of less than one month.

Sec. 2 That the present wording of said section is such that it is impossible for the City authorities to properly enforce said Article VI, and that by reason thereof an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read the First Time, February 4, 1931
Read the Second Time, February 18, 1931

Passed by the Commission this 18th day of February, 1931.

YEAS: Gove, Gilbert, Hosch

NAYS: 0

Approved by the Mayor this 18th day of February, 1931.

Geo. G. Gove
Mayor.

ATTEST: E M Reynolds
Recorder

ORDINANCE NO. N.S. 162

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF IMPROVEMENT BONDS OF THE CITY OF BEND, OREGON, IN THE SUM OF $ II,885.53 : PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED, AND THE COUPONDS ATTACHED THERETO: APPROVING, RATIFYING AND CONFIRMING THE SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Commission of the City of Bend has heretofore proceeded to construct concrete pavement in the City of Bend, Oregon, and has duly assessed the cost of said construction to the real estate benefitted thereby, or liable therefor, according to the provisions of the then Charter of said City and the ordinances thereof; and

WHEREAS, the owners of the property so assessed for such construction, in the sum of $25.00 or more, aggregating in all the sum of $ II,885.53 , have, within twenty days after notice of such assessment was first published, filed with the Recorder of said City written applications to pay said assessment in installments, and each and all of said applications did state that the said applicant and property owner did thereby waive all irregularities or defects, jurisdictional or otherwise, if any there be, 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 assessment which have not been paid as that expressed in the bonds issued to pay for such improvement, but not to exceed six per centum per annum; 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, together 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 such street improvement has been kept separate and apart from all similar applications, 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, 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 the 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, has been regularly done and performed in the manner and at the times required by law;

NOW, THEREFORE, THE CITY OF BEND DOES ORDAIN 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 $ II,885.53 , in all equal to the total amount of the unpaid assessments for such improvement 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 18th. 1931, to be numbered I to 24 , inclusive,

all for the principal sum of $500.00 each, save and except bond No. I for the sum of $ 385.53, 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 of America, and bear interest at the rate of six per centum (6%) per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall bear the signature, actual, engraved or lithographed, of the Mayor and the City Recorder of the City of Bend; 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, together with accrued interest to 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 by the City Treasurer of the City of Bend, in Bend, Oregon and shall be known as "City of Bend Street Improvement Bond, Series A of 1931."

SECTION 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, except that bond No. I shall be in the principal sum of $ 385.53, and the coupons attached thereto shall be in the sum of $ 11.57, to-wit:-

No. _____ $500.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF DESCHUTES
CITY OF BEND STREET IMPROVEMENT BOND
SERIES A, 1931.

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 the bearer the sum of

FIVE HUNDRED DOLLARS

in Gold Coin of the United States of America, on the presentation and surrender of this obligation on the 18th day of February, 1941, without grace, with the interest thereon from the date hereof until redeemed, or until the time of the semi-annual 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 payable semi-annually in like Gold Coin on the eighteenth day of February and August of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable to the City Treasurer of the City of Bend in Bend, Oregon.

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 office of the City Treasurer of the City of Bend, at the City of Bend in Deschutes County, Oregon at the option of the City of Bend upon the payment of the face amount thereof, together with accrued interest thereon to the date of the 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 18th day of February, 1931.

Geo. P. Gove
Mayor

Countersigned

L. G. McReynolds
Recorder.

COUPON

No. _____ $15.00

CITY OF BEND
STATE OF OREGON

Will pay to the bearer on the _____ day of _____, 19_____, in Gold Coin of the United States of America, at the office of the City Treasurer of the City of Bend at the City of Bend in Deschutes County, Oregon,

FIFTEEN DOLLARS

being six months interest on City of Bend Street Improvement Bond, Series A 1931 No. _____, unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Geo. P. Gove
Mayor

Countersigned:

L. G. McReynolds
Recorder.

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

SECTION 4. WHEREAS, the Emergency fund of the City has been depleted and the General fund impaired by the payment therefrom of the cost of said construction during the year 1930, and no bonds have been issued heretofore to pay for the same, and it is necessary that said funds be repayed the sums of money heretofore expended therefrom for such construction, and in order to do so it is necessary to enact this ordinance for the issuance and sale of said bonds, it is, now therefore, Declared that an emergency does exist and that this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor of the City of Bend, Oregon.

Read the first time February 4, 1931.
Read the second time February 18, 1931

Passed by the Commission this 18th day of February 1931.

Yeas : Gove, Gilbert and Hosch

Nays 0

Submitted to and approved by the Mayor this 18th day of February, 1931.

Geo. P. Gove.
Geo.P.Gove
Mayor

ATTEST:
L.G.McReynolds
Recorder.

ORDINANCE N. S. 163

AN ORDINANCE REPEALING SECTIONS 3, 4, 5, 6, 7, 8, 9, and 10 of Ordinances N. S. 112, AND AMENDING SAID ORDINANCE N. S. 112, BY ENACTING SECTIONS 3, 4, 5, 6 7, 8 and 9.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1 That sections 3, 4, 5, 6, 7, 8, 9, and 10 of Ordinance N. S. 112, be and the same are hereby repealed.

Sec. 2 That Ordinance N. S. 112 be, and the same is hereby amended to readas follows, to-wit:-

Sec. 3. All automotive vehicles parked upon any business street of the City of Bend shall be parked along the sidewalk at an angle of 35, except when street is otherwise marked by police parking strips, and upon residential streets next to and parallel with the curb; and all such vehicles shall be parked so that the front wheel nearest the curb shall be not more than onefoot distant therefrom.

Sec. 4. All parking is hereby prohibited and forbidden at all times immediately adjacent to and in front of any theatre or moving picture show, used as such; and on both sides of Brooks street from its intersection with Oregon avenue to its intersection with Greenwood avenue; and on the northerly side of Greenwood avenue from its intersection with the westerly side of Wall street, to a point 100 ft. ~~south~~ west of its intersection with the westerly side of Brooks street extended northerly.

Sec. 5. All automotive vehicles kept for public hire shall park at a stand such places as shall be designated by the Chief of Police.

Sec. 6. Parking for a period in excess of ten minutes is hereby forbidden at all places where parallel ten minute parking signs are posted and where the streets are marked for such parallel parking; and parking is hereby forbidden in front of any building used as a place of worship, or public amusement and entertainment during the time it is occupied for such purpose and is so being used.

Sec. 7. It shall be unlawful for any owner and or operator of any automotive vehicle to enter any street intersection without coming to a full stop, whenever the said interesection has a stop signal device, whether such device be a large "Stop" sign at the Right thereof, or a button design with the word "Stop" thereon, and placed in the center of the entrance to such intersection.

Sec. 8. It shall be unlawful for any owner and or operator of any automotive vehicle to make a reverse or "U" turn at or in any of the intersections in this city hereinafter designated and marked by a sign reading, "U Turn Prohibited".

Sec. 9. Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdameanor, and upon conviction thereof shall be punished by a fine of not more than Two hundred dollars, or by imprisonment in the city jail for not more than 100 days, or by both such fine and imprisonment; and the Muncipal Judge of the City of Bend is hereby empowered, in his discretion, to forfeit the drivers license of such person for not more than one year in addition to such fine and, or imprisonment.

Read the First Time--March 4, 1931
Read the Second time March 18, 1931
Passed by the Commission this 30 day of April, 1931
Passed 4-30, 1931

Yeas 3 Nays 0

Submitted to and approved by the Mayor this 1st day of May, 1931.

Geo. A. Foss
Mayor

ATTEST:
C. M. Reynolds
Recorder

163 Repealed By NS 175

ORDINANCE N. S. 164

AN ORDINANCE AMENDING SECTIONS ONE AND THREE OF ARTICLE III OF ORDINANCE N. S. 140, and SECTION ONE OF ARTICLE XXI OF ORDINANCE N. S. 140 AS AMENDED BY ORDINANCE N. S. 147., AND DECLARING AN EMERGENCY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Section One of Article III of Ordinance N. S. 140 be, and the same is hereby amended to read as follows:-

Sec. 1. The term peddler for the purpose of this ordinance shall be construed to include all persons, co-partnerships and/or corporations, either principals or agents, who go from place to place, and/or house to house, and/or store to store, carrying for sale, and offering for sale, or exposing for sale, either at wholesale or retail, goods, wares and merchandise. The term hawker for the purposes of this orindance shall be contrued to mean and include all persons, co-partnerships and/or corporations who shall sell, offer for sale, or expose for sale, any goods, wares or merchandise from any doorway, recess, vacant lot or other place facing on a street and not within a building. This ordinance shall not apply to peddlers or hawkers of agricultural, horticultural or farm products which they may grow or raise, or to those vending books, periodicals or newspapers and, provided further, that this ordinance shall not apply to delivery of goods upon a bona fide order placed prior to the time such goods leave the place of business of the seller specifying the exact kind and quantity of goods to be delivered.

Sec. 2. That Section Three of Article III of Ordinance N. S. 140 be, and the same is hereby amended to read as follows:-

Sec. 3. For license purposes peddlers shall be classified as follows:-

Class I. Those on foot
Class II. Those using a vehicle drawn by one horse or mule
Class III. Those using a vehivle drawn by two mor more horses or mules
Class IV. Those using a motor propelled vehicle of one ton, or less, capacity
Class V. Those using a motor propelled vehicle of more than one ton capacity

Sec. 3. That Section 1 of Article XXI of Ordinance N. S. 140, as amended by Section One of Ordinance N. S. 147, be, and the same is hereby, amended to read as follows:-

Sec. 1. The fees for all licenses as provided by this Ordinance shall be as follows:-

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Bowling Alleys, for each alley per quarter or fraction thereof	2.50
Billiard, Card and/or Pool Rooms, for each table over one per quarter	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class I, per day or fraction thereof	4.00
Class II, per day or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof	10.00
Junk and Second Hand Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seat per quarter or fraction thereof	.02
Milk Dealers, per year, distributing less than 5 quarts per day	2.50
From 5 to 25 quarts per day	5.00
From 25 to 50 quarts per day	10.00
From 50 to 100 quarts per day	15.00
From 100 to 300 quarts per day	25.00
From 300 to 500 quarts per day	35.00
From 500 to 700 quarts per day	50.00
From 700 to 900 quarts per day	75.00
From 900 quarts upwards per day	100.00
Peddlers, per day, Class I.(any fraction of a day is day)	3.00
Class II.	5.00
Class III.	7.50
Class IV.	10.00
Class V.	15.00
Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesman, per day or fraction thereof	5.00

Solicitors, per day or fraction thereof	$ 3.00
Transfer Vehicles, per quarter or fraction thereof	20.00
Transient Merchants, per month or fraction thereof	100.00
Wood saws, per annum	25.00
Vehicles for Hire, per annum or fraction thereof	20.00
Circus, each performance	150.00
Carnivals, per day	150.00
plus $25.00 for each concession therewith, concession fee to be paid once only	
Operatic and Dramatic Shows, First day	50.00
with an increase of $10.00 for each and every day thereafter, as $60.00 the second day, $70.00 the third day, etc	
Auctioneers, Special, per day	25.00
General, per day	5.00

Sec. 4. That whereas the growers of produce in the trade territory of this city are about ready to market their produce, and whereas certain itinerant peddlers are now bringing outside produce into the local market and thereby breaking a stable market for such produce, and the general welfare of the people of this community is dependant upon a stable market for home grown produce, now therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Commission and approval by the Mayor.

Read the First Time, April 30, 1931
Read the Second Time May 11th, 1931

Passed by the Commission this 11th day of May, 1931

Yeas 3

Nays 0

Submitted to and Approved by the Mayor this 11th day of May, 1931.

Thos. Jones
Mayor

ATTEST:

Chas. F. Reynolds
Recorder

Amended By N.S. 180

ORDINANCE N. S. 165

An Ordinance repealing Ordinance N. S. 150 and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Section 1. That Ordinance N. S. 150 be, and the same is hereby, repealed.

Section 2. That whereas the Public Utilities Commissioner of the State of Oregon has ordered a reduction in the commercial and residential lighting rates to be charged by the Pacific Power and Light Company within the City of Bend and which rates represent an ultimate saving to the residents and inhabitants of this city in excess of the estimated revenue to be produced under Ordinance N. S. 150, and, whereas such Order will be effective upon the repealing of said Ordinance, and not otherwise, and it is the judgment of the Commission that such rate reduction is of greater benefit to the property interests of the residents of the city than would or could be obtained under the enforcement of said Ordinance, now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Commission and approval by the Mayor.

First Reading, June 3, 1931
Second Reading, June 17, 1931

YEAS 3

NAYS 0

Submitted to and approved by the Mayor this 17th day of June, 1931.

Geo. E. Foote.
Mayor

ATTEST:

Recorder

Ordinance N.S. 166

AN ORDINANCE VACATING CERTAIN STREETS AND ALLEYS IN PLAT OF CASCADE TO BEND OREGON

WHEREAS, the owners of all lands immediately adjoining the hereinafter described streets and alleys in plat of Cascade to Bend, Oregon, duly filed in the office of the Recorder of the City of Bend, Oregon, on the 7th day of March, 1931, a petition praying for the vacation of certain streets and alleys in plat of Cascade, and

Whereas, notice of the filing of said petition was duly given by posting written notices thereof at three of the most public places in the City of Bend on the 7th day of ~~February~~ March, 1931, and more than thirty days prior to the hearing of said petition by the Commission of the City of Bend, as more fully appears from the affidavit of Robert B. Gould, on file herein; and

Whereas, it appears that the petitioners are the owners of all the real estate immediately adjoining the streets and alleys to be vacated and are the only parties to be affected by the vacation thereof; and

Whereas, upon the hearings of said petition by the Commission of the City of Bend, no objections 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 COMMISSION OF THE CITY OF BEND:~~ The City of Bend Does Ordain as follows:

Section 1. That all of the following described streets and alleys be, and the same are hereby vacated to wit:

All of the alley in Block 2, Cascade.

All of the alley in Block 3, Cascade.

All of that portion of East Clay Street lying east of East First Street and lying west of East Second Street in said plat of Cascade.

All of that portion of East Second Street in the plat of Cascade lying southerly from the south boundary of East DeKalb Avenue.

All that portion of East First Street in the plat of Cascade lying easterly and south-easterly from a line described as follows: Beginning at the westerly corner of Lot 6, Block 3 of the plat of Cascade; thence in a south-easterly direction to the northerly corner of Lot 18, Block 4 of the said plat of Cascade.

Section 2. Inasmuch as considerable amount of improvement for the area contained within the limits of said area proposed to be vacated and within area adjacent thereto is pending and said improvement is contingent on the said vacation of the described streets and alleys; and inasmuch as it appears that no injury to the general public or to any individual will occur by the vacation of the streets and alleys hereinabove described, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission of the City of Bend, and approval by the Mayor.

Read first time June 3rd. 1931.
Read second time June 17th. 1931.

Passed by the Commission of the City of Bend this 17th day of June. 1931.

Yeas 3
Nays 0

Approved by the Mayor this 17th day of June 1931.

ATTEST:

Recorder

Mayor

E-11561

FILED

DESCHUTES COUNTY

COUNTY CLERK

JUN 23 1931 PM

BEND, OREGON

No.

STATE OF OREGON }
County of Deschutes, }

I hereby certify that the within instrument of writing was received for Record on the 23 day of June A. D. 1931 at 4 20 o'clock P. M. and Recorded in Book 58 on Pages 187 Record of Deeds

J. W. Darwin COUNTY CLERK

BY _____ DEPUTY

R B Gould

Dog Ord

Ordinance N. S. 167

An Ordinance Repealing Ordinance N. S. 124

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Sec. 1. That Ordinance N. S. 124 be, and the same is hereby repealed

Read the First Time, June 17, 1931
Read the Second Time, July 1, 1931

Submitted to and approved by the Mayor this 1st day of July, 1931.

Yeas - 3
Nays - 0

Mayor

ATTEST:

Recorder

Ordinance N. S. 168 NS-168 repealed by
N.S.94 NS-1497, passed 7-15-89

An Ordinance to Amend Section 2 of Ordinance ~~168~~, and declaring an emergency

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Sec. 1. That Section 2 of Ordinance N. S. 94 be, and the same is, hereby amended to read as follows:-

Sec. 2. Whenever the Commission shall consider it necessary to construct, alter, repair or remove any sidewalk or curb within the City of Bend, the Commission shall cause the Recorder to notify, by registered mail, the record owner as shown by the latest record in the office of the Tax Collector of Deschutes county, Oregon, of all real estate abutting upon said proposed construction, alteration, repairing or removal, to proceed with such improvement within thirty days, or in the case of removal within ten days, from the date of receipt of such notice, as shown by the returned registry receipt, and if he fails so to do, that the City will cause such improvement to be made and the cost thereof assessed upon such abutting real estate; provided that if the name or address of the abutting owner cannot be found upon the tax rolls of Deschutes county, Oregon, a copy of said notice shall be posted in a conspicuous place upon such abutting real estate for the period herein designated, said period of time to run from the date of said posting.

Sec. 2. That whereas there is a considerable amount of defective wooden sidewalks which should be removed at once for the conservation of public health and welfare, now therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Read the First Time, June 17, 1931
Read the Second Time, July 1, 1931

YEAS 3

NAYS 0

Submitted to and Aprroved by the Mayor this 1st day of July, 1931

Geo. E. Tye
Mayor

ATTEST:

E. M. Reynolds
Recorder

ORDINANCE N. S. 169.

AN ORDINANCE TO AMEND ARTICLE XV OF ORDINANCE N. S. 140 OF THE CITY OF BEND BY ADDING THERETO A SECTION TO BE KNOWN AS SECTION 3.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Article XV of Ordinance N. S. 140 be, and the same is hereby, amended by adding thereto a Section to be known and designated as Section 3 and to read as follows, to-wit:

Section 3. That the Recorder of the City of Bend be, and he is hereby, required to issue unto the applicant for the license hereinbefore provided for a metal tag and which metal tag must at all time be displayed upon the vehicle for which said license has been issued and not otherwise.

Read the first time June 17th, 1931.

Read the second time July 1st, 1931.

Yeas. 3

Nays. 0

Submitted to and approved by the Mayor this 1st day of July, 1931.

Geo. Foss.
Mayor.

ATTEST:

Chas. Reynolds
City Recorder.

ORDINANCE NO. N.S. 171

AN ORDINANCE granting the Great Northern Railway Company, a corporation, its successors and assigns, the franchise or right to lay, construct and maintain railroad tracks and to operate cars and trains thereover, and to transport passengers, freight, mail, baggage and express thereon, and to erect, construct, maintain and operate telephone and telegraph lines in the City of Bend, Deschutes County, Oregon.

The City of Bend does ordain as follows:

Section 1. That there be, and is hereby granted to Great Northern Railway Company, a corporation, its successors and assigns, the franchise or right to lay, construct and maintain railroad tracks of standard gauge, either single or double track, with power to change from one to the other, and such sidings, switches, curves and connections and other equipment as it may deem necessary or convenient, and to operate and run cars and trains thereon, and to transport passengers, freight, mail, baggage and express thereon, upon and over the following named street or boulevard in the City of Bend, Oregon, to-wit:
Upon and over Woodland Boulevard in the location as indicated by description of the center line of the railroad to be constructed thereover as follows, to-wit:

> Commencing at the point of intersection of the northerly boundary of Woodland Boulevard, as shown on the recorded plat of Bend Park in Section 4, Township 18 South, Range 12 East, Willamette Meridian, with the center line of the right of way of the Oregon Trunk Railway Company (now Great Northern Railway Company) as shown on the said recorded plat; thence southeasterly along said center line to an intersection with the center line of said Woodland Boulevard at Survey Station 137+77; thence continuing southeasterly along said center line of right of way to a point in the southerly boundary of said Woodland Boulevard,

and also the right and privilege of constructing and maintaining on said Woodland Boulevard, at the location hereinabove described, such wyes, frogs, switches, curves and connections as the Great

NS #171

Northern Railway Company, its successors and assigns, may deem necessary or convenient in the construction and operation of said line of railroad.

And that there be, and is hereby also granted to said Great Northern Railway Company, its successors and assigns, the right to erect, construct and maintain poles, wires and other necessary and convenient equipment for the purpose of conveying electrical currents for the transmission of messages by telephone or telegraph or for any other use by it in connection with the operation of its trains and cars upon the railroad to be so constructed and operated at said location, together with the right to construct all necessary and convenient feed and service lines in connection therewith.

Section 2. That there be and is hereby granted to said Great Northern Railway Company, its successors and assigns, the franchise or right to lay, construct and maintain railroad tracks and operate trains and cars over private property and private rights of way, which said company may now have or hereafter acquire, and to connect the same with tracks mentioned and described in Section 1 of this ordinance.

Section 3. That there be and is hereby granted to said Great Northern Railway Company, its successors and assigns, the right to reconstruct and maintain sidetracks, switches and other equipment from the track or tracks hereinbefore described, into, upon and over such private properties as it may now hold or hereafter acquire for use as round houses, power houses, freight depots, passenger depots, terminals and other purposes, or into, upon or over any property contiguous to said tracks.

Section 4. The railroad to be constructed over and across the street or boulevard specifically described in Section 1 of this ordinance shall be so constructed that the subgrade of the railroad track at said street or boulevard shall be 3685.8

feet above sea level.

Section 5. The Great Northern Railway Company, its successors and assigns, shall have the right to do all necessary excavation and grading for the construction, repair or maintenance of said tracks, but all that portion of said street or boulevard so excavated or graded shall be replaced in as near the original condition as practicable, and said company, its successors and assigns, shall, during the term of this franchise, keep the portion of said street or boulevard upon which the said tracks are maintained, including the space between the main line tracks and side tracks and the space within any wyes in as good condition and repair as the remainder of said street is maintained, for the full width of said railway between the rails of each track, and for the width of one foot on the outside of the rails of each track.

Section 6. If at any time during the life of this franchise, traffic by the public over the crossing at said Woodland Boulevard is such that some audible or visual warning devices, in addition to warnings and signs now required by law, are reasonably necessary for the safety of the public using the highway at said crossing, the Railway Company will install and thereafter maintain such additional devices as may be prescribed by the Public Utilities Commissioner of Oregon, or other public authority having jurisdiction in the premises.

Section 7. The motive power employed for the operation of trains and cars upon said track shall be steam, electricity, internal combustion engines, or any other form of power which said company may desire to use, in accordance with good railroad operating standards.

Section 8. All of the rights herein granted shall continue and be in force and effect for a period of twenty-~~five~~ (25) (20) years from and after the date of the final approval of this ordinance.

Section 9. All franchises or rights herein granted are upon the condition that the Great Northern Railway Company, its

successors and assigns, shall within forty-five (45) days after the approval of this ordinance, or after it otherwise takes effect, file with the City Recorder a written acceptance of the provisions of this ordinance, provided that nothing contained in this section shall prevent the council from extending the time for the filing of such acceptance, if such extension shall be necessary.

WHEREAS, the purpose of this ordinance is to enable the Great Northern Railway Company, its successors and assigns, to build and operate a revised line of railroad in the City of Bend, as a part of a revised line of railroad connecting the City of Bend with the City of Klamath Falls, Oregon and other cities and destinations north and south of Klamath Falls, Oregon, which revised line of railroad will improve the railway service to and from the City of Bend and thereby greatly aid the public convenience with respect to the carriage of passengers and freight and thereby promote the public peace, health and safety of said city, and it is therefore necessary, for the preservation of the public peace, health and safety of the inhabitants of the City of Bend, that this ordinance shall become immediately effective, an emergency is hereby declared to exist and this ordinance shall take effect immediately after its passage by the council and approval by the mayor.

Read the first time November 4th 1931.
Read the second time November 18th 1931
Passed the Council on the 18th day of November, 1931.

Approved by the Mayor the 18th day of November, 1931.

Yeas: 2
Nays: 0

Geo. G. Love.
Mayor of the City of Bend

Attest: C. M. Reynolds
Recorder of the City of Bend

ORDINANCE N. S. 172

An Ordinance amending Section 1 of Article XVIII of Ordinance N. S. 140, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Section 1 of Article XVIII of Ordinance N. S. 140 be, and the same is hereby amended to read as follows:

Section 1. It shall be unlawful for any person, persons, firm or corporation to operate a woodsaw, the motive power of which shall be steam, electricity, gasoline or other mechanical force, on any street, alley, park or other public place in the City of Bend, or to transport such a woodsaw on or over any street or alley for the purpose of operating the same within the City of Bend, without having first obtained a license therefor, said license not to be issued for less than one year. No license shall be issued until the applicant shall make a showing, satisfactory to the City Manager, that such woodsaw is in good mechanical condition and can and will be operated and transported with safety to the general public.

Sec. 2. That whereas no ordinance of the City of Bend exists at this time providing for the licensing of woodsaws the provisions of which are definite and certain, and whereas such an ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Bend, now therefor an emergency is hereby declared to exists and this Ordinance shall be in full force and effect from and after the date of its passage by the City Commission and approval by the Mayor.

Read the first time November 18, 1931.

Read the second time December 2, 1931.

Passed by the Commission this 2nd day of December, 1931.

Yeas 2

Nays 0

Submitted to and approved by the Mayor this 2nd. day of Dec 1931.

Geo. G. Cole
Mayor

Attest: C. M. Reynolds
Recorder

ORDINANCE N. S. 173

AN ORDINANCE DECLARING UNDER WHAT CIRCUMSTANCES DOGS RUNNING AT LARGE SHALL BE A NUISANCE, PROVIDING FOR THE ABATEMENT OF SUCH NUISANCE, PROVIDING THAT IT SHALL BE UNLAWFUL FOR THE OWNER OR PERSON IN CHARGE OF SUCH DOG TO PERMIT THE SAME TO RUN AT LARGE, PROVIDING THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO INTERFERE WITH A POLICE OFFICER IN THE ENFORCEMENT OF THIS ORDINANCE, AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Any mad dog, any fierce, vicious or dangerous dog running at large without being securely muzzled, and any female dog running at large in time of heat within the city limits, is hereby declared to be a public nuisance and shall be abated as herein provided.

Section 2. Any mad dog shall be killed on sight by any police officer of the City of Bend or by any person authorized so to do by the Chief of Police; the owner of any fierce, vicious or dangerous dog running at large without being securely muzzled, if such owner is known, shall be notified by a police officer to securely tie up or muzzle such dog within one hour after such notice and if such dog is thereafter found running at large without being securely muzzled, it shall be killed on sight by a police officer; the owner of any female dog in time of heat, if such owner is known, shall be notified by a police officer to securely tie up said female dog or confine the same within a building within one hour thereafter, and if such female dog is thereafter found running at large in time of heat, it shall be killed on sight by a police officer; if the owner of any such fierce, vicious or dangerous dog or of any such female dog cannot be found after reasonable inquiry, such dog shall be killed on sight by a police officer without notice as aforesaid.

Section 3. It shall be unlawful for any person, owning or having charge, care or control of any dog, male or female, when and under such circumstances as such dog shall be a public nuisance as above defined, to permit or allow such dog to be or run at large off of the enclosure of such person.

Section 4. It shall be unlawful for any person to interfere with or prevent or attempt to prevent a police officer from killing any dog as herein above provided.

Section 5. Any person or persons violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than Fifty Dollars, or by imprisonment in the city jail or in some other jail as by the Court directed, not more than twenty-five dyas, or by both such fine and imprisonment.

Read the first time, January 20th, 1932.

Read the Second time, February 3rd, 1932.

YEAS: 2

NAYS: 0

Approved by the Mayor this 3rd day of February, 1932.

J. G. Hunsaker

Mayor.

Attest: E. M. Reynolds

Recorder.

ORDINANCE NS 174

An Ordinance prohibiting the distribution, circulation and passing of advertising papers, handbills, dodgers, circulars, booklets or other notice of commercial advertising, and providing a penalty for violations of this ordinance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. It shall be unlawful for any person, firm or corporation, either directly or by another, to distribute, circulate or pass to or among persons along or upon any street, alley, park or other public place in the City of Bend, or to place in any automobile or other vehicle on or along any public street, alley, park or other public place in the City of Bend, any advertising paper, handbill, dodger, circular, booklet, or other notice of commercial advertising.

Sec. 2. It shall be unlawful for any person, firm or corporation, either directly or by another, to distribute, place or throw in or upon any street, alley, park or other public place or in or upon any private yard, lawn, driveway, sidewalk, porch, house or part thereof of any residence or in any structure within the curtilage of a residence or upon any vacant premises in the City of Bend, or nail, tack or fasten on or to any pole, tree or fence or other structure any advertising paper, handbill, dodger, circular, booklet or other notice of commercial advertising; provided, however, that nothing herein contained shall prohibit the distribution and delivery of any newspaper which is capable of being entered as second class matter under the provisions of the United States Postal Regulations; provided, further, that nothing herein contained shall be deemed to prohibit or otherwise regulate the delivery of any such matter by the United States Postal Service; and provided, further, that northing herein contained shall be deemed to prohibit the delivery of any such matter on the porch or stoop of any occupied residence providing such matter is enclosed within an addressed envelope.

Sec. 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed One Hundred ($100.00) Dollars, or by imprisonment in the City Jail of said City or such other jail as may be by the court ordered for a period of not to exceed Fifty (50) days, or by both such fine and imprisonment.

First Reading March 17, 1932.
Second Reading April 6, 1932.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of April, 1932.

J. F. Hosch
Mayor.

Attest:
L. C. McReynolds
Recorder.

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ORDINANCE NS 175 Repealed By 178

An Ordinance regulating and limiting the rate of speed of vehicles on the streets, alleys and public places of the City of Bend, defining the terms"park" and"parking" and regulating the parking of vehicles on the streets and alleys of the City of Bend, providing for the placing of Stop signs and regulating vehicular traffic at Stop signs, prohibiting U or reverse turns on certain streets, and providing penalties for violations hereof, and repealing Ordinance N.S. 112 and Ordinance N.S. 163.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. It shall be unlawful for any person to drive or operate a motor vehicle on or over the streets, alleys or other public places in the City of Bend in violation of any law of the state of Oregon or at a greater rate of speed or in any different manner than is reasonable and proper, having due regard to the safety of the public or to the traffic upon and use of any such street or alley then travelled.

Sec. 2. The terms "park" and "parking" as used in this ordinance are defined to mean the bringing of a motor vehicle to a stop or standstill upon any street, alley or public place, provided that such terms shall not include the bringing of such motor vehicle to a stop at a stop sign as hereinafter described nor the bringing of such vehicle to a stop on order by a peace officer or by reason of congestion of traffic.

Sec. 3. All motor vehicles parked upon any business street of the City of Bend, shall be parked along the curb at an angle of thirty-five degrees from said curb, except when such street is marked otherwise by police parking strips, and upon residential streets next to and parallel with the curb; and all such vehicles shall be so parked that the right front wheel thereof shall be not more than one foot from the curb.

Sec. 4. All parking is hereby prohibited at all times along the curb immediately adjacent to and in front of any theatre or moving picture theatre; all parking is hereby prohibited along the curb adjacent to and immediately in front of the main entrance to a building used as a place of punlic worship or of public amusement or entertainment other than a theatre or moving picture theatre, during the time such building is being used and occupied for such purpose; all parking is prohibited on the following streets, to-wit: On both sides of Brooks Street from its intersection with Oregon Avenue to its intersection with Greenwood Avenue; on the northerly side of Greenwood Avenue from its intersection with the westerly side of Wall Street to a point one hundred feet west of its intersection with the westerly side of Brooks Street extended northerly.

Sec. 5. All motor vehicles kept for public hire shall park at a stand at such places as shall be designated by the Chief of Police.

Sec. 6. The City Manager shall have authority with the approval of the City Commission to designate such parking areas in the business section of the City of Bend as he may deem expedient as ten minute parking areas; such areas shall be plainly marked by police parking strips parallel to the curb; it shall be unlawful for any person to park a motor vehicle for a longer period than ten minutes on any such designated and marked ten minute parking areas.

Sec. 7. It shall be unlawful for any person to park any motor vehicle, truck, trailer, semi-trailer or other vehicle in such a manner that any portion or part of such vehicle or trailer or of any of the load thereon shall extend more than 16 feet from the curb where such vehicle is parked on those portions of the following streets

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175 Repealed by 178

described as follows, to-wit: Both sides of Wall Street from its intersection with Vermont Place to its intersection with Franklin Avenue, excepting the easterly side of Wall Street from its interestion with Vermont Place to its intersection with Greenwood Avenue; both sides of Bond Street from its intersection with Wall Street at Vermont Place to its intersection with Franklin Avenue; both sides of Greenwood Avenue from its intersection with Wall Street to a point fifty feet east of the easterly side of Bond Street; both sides of Oregon Avenue from its intersection with Brooks Street to a point fifty feet easterly of the easterly side of Bond Street; both sides of Franklin Avenue from its intersection with Wall Street to its intersection with Bond Street.

Sec. 8. The City Manager with the approval of the City Commission shall have authority to designate what street intersections shall be stop streets and shall cause such intersections to be plainly marked with a large "Stop" sign at the right thereof or with a button design with the word "Stop" thereon placed in the center of the entrance to such intersection. It shall be unlawful for any operator of a motor vehicle to enter any such intersection designated and marked as aforesaid without bringing the said motor vehicle to a full stop.

Sec. 9. The City Manager with the approval of the City Commission shall have authority to designate on what streets or portions of streets U or reverse turns shall be prohibited and shall cause such streets or portions of streets to be plainly marked with large signs reading "U Turn Prohibited". It shall be unlawful for any operator of a motor vehicle to make a U or reverse turn on any such street or portion of a street so designated and marked as aforesaid.

Sec. 10. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Municipal Court shall be punished by a fine of not more than Two Hundred Dollars, or by imprisonment in the City Jail or some other jail for a period of not more than one hundred days, or by both such fine and imprisonment.

Sec. 11. Ordinance N. S. 112 and Ordinance N. S. 163 are hereby repealed.

Read the first time March 17, 1932

Read the second time and put upon its passage April 6th 1932

Yeas 3

Nays 0

Declared passed April 6th 1932

Submitted to and approved by the Mayor this 6th day of April, 1932.

J J Nash

Mayor

Attest:

E M Reynolds

City Recorder.

LAW OFFICES OF BERT C. BOYLA BEND, OREGON

ORDINANCE N. S. 176.

An ordinance defining the term dangerous building, declaring that a dangerous building as herein defined shall be a nuisance, providing the proceedure for hearing and determining whether a building is a dangerous building and a nuisance as herein provided, providing for the abatement of such a nuisance, and declaring that the expense of such abatement shall be assessed as a lien against the property constituting such nuisance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. For the purpose of this ordinance the term dangerous building shall mean and include any building or other structure which for want of proper repairs or by reason of age and delapidated condition or by reason of poorly installed electric wiring, defective chimney or for any other cause or reason is especially liable to fire, and which building or structure is so situated or occupied as to endanger any other building or property or person. Said term shall also mean and include any building or structure which shall be kept or maintained in such a filthy or unsanitary condition as to be especially liable to cause the spread of contagious or infectious disease or diseases. Said term shall also mean and include any building or structure in such weak or weakened condition, or delapidated or deteriorated condition as to endanger any person or property by reason of probability of partial or entire collapse thereof.

Section 2. Any building or other structure which shall be by resolution of the City Commission determined and declared to be a dangerous building as above defined, after a hearing and in the manner hereinafter set out, shall be and constitute a nuisance, and may and shall be abated as hereinafter provided.

Section 3. Whenever the mayor, city manager, chief of the fire department, city health officer, or any commissioner of the City of Bend shall find or be of the opinion that there is a dangerous building in the City of Bend, it shall be the duty of such officer to report the same ~~in xxxxxxx~~ to the City Commission. Such report shall be in writing

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BEND, OREGON

verified by the affidavit of the person making the same, and shall describe the building or structure together with the premises on which the same is located with sufficient certainty for identification and shall set out the names and addresses of the owners thereof and the lien holders thereon as far as known. Thereupon the City Commission shall, within a reasonable time, fix a time and place for a public hearing thereon. Notice shall be mailed to the owner of record of the premises whereon such building or structure is located and to any known lien holders thereon, at their last known place of residence, notifying said persons in general terms that a hearing will be held concerning said property, and the time and place thereof. At said time and place, or at such other time or times, or place or places, as the City Commission shall adjourn to, said hearing shall be held, and the City Commission shall determine by resolution whether or not said building is a dangerous building as herein defined. The City Commission may, as a part of said hearing, inspect said building or other structure, and the facts observed by said Commission at such inspection may be considered by it in determining whether or not said building or structure is a dangerous building. At said hearing the owner or other person interested in said property or building shall have the right to be heard in person and by witnesses or counsel, if such owner or person requests the same. Not less than ten days notice of such hearing shall be given by publication in some newspaper published in the City of Bend, or by posting notices thereof in three public places in said city, and if the last mentioned notice, particularly describing such building, structure or premises, be published or given as herein required, no irregularity or failure to mail notices shall invalidate the proceedings. At such hearing the City Commission shall have the power to order any building or other structure declared by resolution as aforesaid to be a dangerous building, removed and abated, if in its judgment such removal or abatement is necessary to remove said dangerous condition, or the Commission shall have the power to order said building or structure

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made safe and to prescribe what acts or things must be done to render the same safe. Notice of such findings and of any orders made by the Commission shall be given the owner of said building, his agent or other person controlling the same, which said notice shall set forth the time, not less than five days, within which the owner or person interested is required by said findings or order to comply therewith. If said order is not complied with and said building or structure removed or rendered safe in the manner prescribed within the time in said order specified, then the Commission shall have the power and it shall be its duty to cause said building or structure to be removed or made safe as in said order prescribed. In so doing the Commission may, in its discretion, advertise for bids for doing such work, such advertisement to be published once in a newspaper published in the City of Bend, stating in general terms the work to be done and the time within which bids shall be submitted to the Commission. At the time set the Commission shall open any bids filed and may let a contract for the doing of such work. Such work shall be done under the supervision of and to the satisfaction of the Fire Chief. Thereafter the Commission shall determine the cost of such work and the same including the expenses of such proceeding shall be and become a lien upon the salvage, if any, from such building and upon the premises on which said building was located. Such salvage, if any, shall be sold by the Fire Chief and the proceeds thereof paid into the City Treasury and credited upon such lien. If the proceeds of such sale shall not satisfy said lien in full, the Commission shall by ordinance declare the unpaid balance thereof to be a lien against the premises and shall cause the same to be entered in the docket of city liens, and thereafter said lien shall be enforced and collected in the same manner as other city liens, but irregularities in the procedure shall be disregarded.

Section 4. Nothing herein contained shall be construed to prevent the removal or abatement summarily in an emergency by the officials of said city of Bend of a dnagerous building or structure where such

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removal or abatement is necessary for the immediate preservation of the safety of persons or property therein, nor to prevent the resort by the City to such other remedies as are provided by law for the abatement of nuisances.

Section 5. Whereas, due to the fact that numerous dangerous buildings now exist in the City of Bend and cause a serious fire hazard therein, for the immediate preservation of the peace, health and safety of the City it is deemed that an emergency now exists, and this Ordinance shall become immediately operative and shall be in full force and effect on its approval by the affirmative vote of all the members of the Commission.

Read the first time January 20th. 1932.

Read the second time ~~February 3rd.~~ April 20th. 1932.

Yeas 3

Nays 0

Approved this 4th day of ~~February~~ May, 1932.

J. E. Haven

Mayor.

Attest: C. M. Reynolds

Recorder.

LAW OFFICES OF BERT C. BOYLE BEND, OREGON

ORDINANCE N.S. 177.

An Ordinance providing for the restraint of horses, cattle, sheep and/or goats in Shevlin Park, providing for the impounding of any such animals found in Shevlin Park in violation hereof, providing penalties for violation hereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for the owner or any person having the care or control of any horses, cattle, sheep and/or goats to permit such animals to run at large or to be herded, tethered or pastured in any manner in or upon Shevlin Park, a public park of and belonging to the City of Bend, as the same is described by metes and bounds in that certain deed to said City of Bend recorded on page 331 of Book 30 of the Record of Deeds of Deschutes County, Oregon, in the custody of the County Clerk of said County.

Section 2. Any such animals found in Shevlin Park in violation of the provisions of Section 1 of this Ordinance shall be taken up by the Chief of Police and thereafter proceedings with reference to such animals shall be had as provided in Ordinance N.S. 120 with reference to animals trespassing upon private property or herded, tethered or pastured upon any public thoroughfare or public place or running at large within said City.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than One Hundred Dollars, or by imprisonment in the City Jail or some other jail as directed by the Municipal Court for a period of not more than Fifty days, or by both such fine and imprisonment.

Read the First Time May 4th, 1932.
Read the Second time May 18th, 1932.
Put upon its passage May 18th, 1932.

Ayes 2

Nays 0

Submitted to and approved by the Mayor this 18th day of May 1932.

J. F. Hosch
Mayor.

Attest:
L. G. McReynolds
Recorder.

ORDINANCE N.S. 178

An Ordinance regulating and limiting the rate of speedof vehicles on the streets, alleys and public places of the City of Bend, defining the terms "park" and "parking" and regulating the parking of vehicles on the streets and alleys of the City of Bend, providing for the placing of Stop signs and regulating vehicular traffic at Stop signs, prohibiting U or reverse turns on certain streets, providing penalties for vilations hereof, and repealing Ordinance N. S. 175.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS: Repeals 175

Sec. 1. It shall be unlawful for any person to drive or operate a motor vehicle on or over the streets, alleys or other public places in the City of Bend in violation of any law of the State of Oregon or at a greater rate of speed or in any different manner than is reasonable and proper, having due regard to the safety of the public or to the traffic upon and use of any such street or alley then travelled.

Sec. 2. The terms "park" and "parking" as used in this Ordinance are defined to mean the bringing of a motor vehicle to a stop or standstill or the leaving or permitting a motor vehicle under the control of in the possession of a person to remain at a stop or standstill upon any street, alley or public place, provided that such terms shall not include the bringing of such motor vehicle to a stop at a Stop sign as hereinafter described nor the bringing of such vehicle to a stop on order by a peace officer or by reason of congestion of traffic.

Sec. 3. All motor vehicles parked upon any business street of the City of Bend shall be parked along the curb at an angle of thirty-five (35°) degrees from such curb, except when such street is marked otherwise by police parking strips, and upon residential streets next to an parallel with the curb; and all such vehicles shall be so parked that the right front wheel thereof shall be not more than one foot from the curb.

Sec. 4. All parking is hereby prohibited at all times along the curb immediately adjacent to and in front of any theatre or moving picture theatre; all parking is hereby prohibited along the curb adjacent to andimmediately in front of the main entrance to a building used as a place of public worship or of public amusement or entertainment other than a theatre or moving picture theatre, during the time such building is being used and occupied for such purpose; all parking is prohibited on the following streets, to-wit: On both sides of Brooks Street from its intersection with Oregon Avenue to its intersection with Greenwood Avenue; on the northerly side of Greenwood Avenue from its intersection with the westerly side of Wall Street, to a point one hundred feet west of its intersection with the westerly side of Brooks Street extended northerly.

Sec. 5. Except as other wise herein provided, parking upon any of the following described parts of public streets within the City of Bend between the hours of two o'clock A. M. and seven-thirty o'clock P. M. shall be limited to a period of one hour, to-wit: That portion of Wall Street lying between Franklin Avenues and Greenwood Avenue; that portion of Bond Street lying between Franlin Avenue and Greenwood Avenue; that portion of Minnesota Avenue lying between Wall Street and Bond Street; and that portion of Oregon Avenue lying between Wall Street and Bond Street.

Sec. 6. All motor vehicles kept for public hire shall park at a stand at such places as shall be designated by the Chief of Police.

Sec. 7. The City Manager with the approval of the City Commission shall have authority to designate such parking areas in the business section of the City of Bend as he may deem expedient as ten minute

parking areas; such areas shall be plainly marked by police parking strips and/or signs; it shall be unlawful for any person to park a motor vehicle for a longer period than ten minutes on any such designated and marked ten minute parking area.

Sec. 8. The City Manager with the approval of the City Commission shall have authority to designate such parking areas in the business section of the City of Bend as he may deem expedient for the purpose of reserving such areas for the use of peace officers in the performance of their duties as such, for the purpose of loading or unloading freight and for the purpose of ingress to or egress from buildings; such areas shall be plainly marked by police parking strips and/or by "No Parking" signs; it shall be unlawful for any person to park a motor vehicle on such areas except for the purposes above designated.

Sec. 9. It shall be unlawful for any person to park any motor vehicle, truck, trailer, semi-trailer or other vehicle in such a manner that any portion or part of such vehicle or trailer or of any of the load thereon shall extend more than 16 feet from the curb where such vehicle is parked on those portions of the following streets described as follows, to-wit: Both sides of Wall Street from its intersection with Vermont Place to its intersection with Franklin Avenue, excepting the easterly side of Wall Street from its intersection with Vermont Place to its intersection with Greenwood Avenue; both sides of Bond Street from its intersection with Wall Street at Vermont Place to its intersection with Franklin Avenue; both sides of Greenwood Avenue from its intersection with Wall Street to a point fifty feet east of the easterly side of Bond Street; both sides of Oregon Avenue from its intersection with Brooks Street to a point fifty feet east of the easterly side of Bond Street; both sides of Franklin Avenue from its intersection with Wall Street to its intersection with Bond Street.

Sec. 10. The City Manager with the approval of the City Commission shall have authority to designate what street intersections shall be stop streets and shall cause such intersections to be plainly marked with a large "Stop" sign at the right thereof or with a button design with the word "Stop" thereon placed in the center of the entrance to such intersection. It shall be unlawful for any operator of a motor vehicle to enter any such intersection designated and marked as aforesaid without bringing the said motor vehicle to a full stop.

Sec. 11. The City Manager with the approval of the City Commission shall have authority to designate on what streets or portions of streets U or reverse turns shall be prohibited and shall cause such streets or portions of streets to be plainly marked with large signs reading "U Turn Prohibited". It shall be unlawful for any operator of a motor vehicle to make a U or reverse turn on any such street or portion of a street designated and marked as aforesaid.

Sec. 12. Any person vilating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Municipal Court shall be punished by a fine of not more than Two Hundred Dollars, or by imprisonment in the City Jail or some other jail for a period of not more than one hundred days, or by both such fine and imprisonment.

Sec. 13. Ordinance N. S. 175 is hereby repealed.

Sec. 14. Inasmuch as the City of Bend at this time has no adequate ordinance regulating the operation of motor vehicles on the streets of such city, and at this time the use of the streets by tourists and others is greatly increased, it is deemed that this ordinance is a measure for the immediate preservation of the peace, health and safety of the City and that an emergency exists, therefore this ordinance shall become immediately effective on its passage by the City Commission and its approval by the Mayor.

Read the first time May 18th, 1932.

Read the second time June 1st, 1932.

Put on its passage June 1st, 1932

Yeas 3

Nays 0

Declared passed.

Submitted to and approved by the Mayor this 1st day of June , 1932.

J. F. Hosch
Mayor.

Attest:

L. G. McReynolds
City Recorder.

I, C. G. Reiter, City Manager, by virtue of the authority vested in me by the provisions of Ordinance N.S. #178, deem it expedient that the following parking areas be designated as ten minute parking areas and I do designate the same as such, to-wit:

A strip approximately thirty feet long running westerly along the south side of Oregon Avenue from Bond Street.

A strip approximately 30' long running Easterly along the north side of Oregon Avenue from Wall Street.

A strip approximately thirty feet long running northerly along the west side of Wall Street from Oregon Avenue.

A strip approximately thirty feet long running southerly along the east side of Wall Street from Oregon Avenue.

A strip approximately thirty feet long running northerly along the west side of Wall Street from Minnesota Avenue.

A strip approximately thirty feet long running southerly along the east side of Wall Street from Minnesota Avenue.

A strip approximately thirty feet long running northerly along the west side of Wall Street from Franklin Avenue.

A strip approximately thirty feet long running southerly along the east side of Bond Street from Minnesota Avenue.

A strip approximately thirty feet long running southerly along the east side of Bond Street from Oregon Avenue.

A strip approximately thirty feet long running northerly along the west side of Wall Street between Greenwood Avenue and Vermont Place.

The foregoing zones being designated by Police Parking strips running parallel to the curb.

And further by virtue of said Ordinance I deem it expedient that the following parking areas be designated as "No Parking" areas for the use of peace officers and for the purpose of ingress to or egress from buildings and so designate such areas, to-wit:

For use of peace officers, to-wit:

A distance of twenty-four feet directly in front of the Baird Building on the west side of Bond Street between Greenwood Avenue and Oregon Avenue.

A distance of sixteen feet directly in front of the City Hall on the east side of Bond Street between Oregon Avenue and Minnesota Avenue.

For ingress and egress, to-wit:

A strip eight feel long in front of the Wilkey Building on the west side of Bond Street between Greenwood Avenue and Oregon Avenue.

A strip eight feet long in front of Simpson's Pool Hall on the west side of Bond Street between Greenwood Avenue and Oregon Avenue.

A strip sixteen feet long in front of the J. C. Penney Building on the north side of Oregon Avenue between Wall Street and Bond Street.

A strip sixteen feet long in front of the O'Kane Building on the south side of Oregon Avenue between Wall Street and Bond Street.

A strip eight feet long in front of the Piggly Wiggly Store on the South side of Oregon Avenue between Wall Street and Bond Street.

A strip approximately 15 ft. long running westerly along the south side of Oregon Avenue from the alley in Block 15, Bend Original and directly in front of Sells and Back.

A strip approximately sixteen feet long in front of the Square Deal Furniture Store on the south side of Minnesota Avenue between Wall Street and Bond Street.

A strip approximately sixteen feet long directly in front of the side entrance of the Midstate Hardware Company on the north side of Minnesota Avenue between Wall Street and Bond Street.

A strip approximately thirty-two feet long in front of the side entrance of the Bake-Rite Bakery on the south side of Minnesota Avenue between Wall Street and Bond Street.

A strip approximately thirty feet long in front of the Post Office on the west side of Wall Street between Minnesota Avenue and Oregon Avenue.

And I respectfully ask the City Commission to approve such designations.

C. S. Foster.
City Manager.

ORDINANCE N S 179

An Ordinance to amend Section 4 of Article II of Ordinance N.S. 140.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Section 4 of Article II of Ordinance N S 140, be and the same is hereby amended to read as follows, to-wit:

Sec. 4. No auction sale shall be conducted within the City of Bend between the hours of seven-thirty o'clock in the evening and eight o'clock in the morning of the following day.

Sec. 2. Whereas the present ordinance regulating the hours for conducting an auction sale with the City of Bend is vague and indefinite, and it is necessary for the preservation of the peace, health and safety of said city that said ordinance be at this time made definite and certain, therefore an emergency is deemed to exists and this ordinance shall be and become immediately effective and in full force and effect on its passage by the City Commission and approval by the Mayor.

First reading May 18th. 1932

Second reading June 1st. 1932

Put on passage June 1st. 1932

Yeas 3

Nays 0

Declared passed and approved by the Mayor this 1st. day of June, 1932.

J. D. Hosch

Mayor

Attest:

E. M. Reynolds

City Recorder

LAW OFFICES OF
BERT C. BOYLA
BEND, OREGON

Ordinance NS 180 (5)

AN ORDINANCE AMENDING SECTION ONE OF ARTICLE XXI, OF ORDINANCE N.S. 140, AS AMENDED BY ORDINANCE N.S. 147 AND ORDINANCE N.S. 164.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Article XXI of Ordinance N.S. 140, as amended by Section One of Ordinance N.S. 147, and as amended by Section three of Ordinance N.S. 164, be and the same is hereby amended to read as follows:-

The fees for all licenses as provided by this Ordinance shall be as follows:-

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Bowling Alleys, for each alley per quarter or fraction thereof	2.50
Billiard, Card and/or Pool Rooms, for each table over one per quarter	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class I, per day or fraction thereof.	4.00
Class II, per day or fraction thereof	3.00
Hotels, Lodging Houses and/or Rooming Houses, per year or fraction thereof.	10.00
Junk and Second Hand Dealers, per quarter or fraction thereof.	5.00
Moving Picture Shows, per seat per quarter or fraction thereof.	.02
Milk Dealers, per year, distributing less than 25 quarts per day	1.00
~~From 5 to 25 quarts per day~~	~~1.00~~
From 25 to 50 quarts per day.	3.00
From 50 to 100 quarts per day	5.00
From 100 to 300 quarts per day.	8.00
From 300 to 500 quarts per day.	12.00
From 500 to 700 quarts per day.	25.00
From 700 to 900 quarts per day.	37.50
From 900 quarts upwards per day	50.00
Peddlers, per day, Class I. (Any fraction of a day is day)	3.00
Class II.	5.00
Class III	7.50
Class IV	10.00
Class V	15.00
Shooting Galleries, per quarter or fraction thereof.	10.00
Photograph Salesmen, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof.	3.00
Transfer Vehicles, per year or fraction thereof.	20.00
Transient Merchants, per month or faction thereof.	100.00
Wood Saws, per annum	25.00
Vehicles for hire, per annum or fraction thereof	20.00
Circus, each performance	150.00
Carnivals, per day	150.00
plus $25.00 for each concession therewith, concession fee to be paid once only.	
Operatic and Dramatic Shows, First day	50.00
With an increase of $10.00 for each and every day thereafter, as $60.00 the second day, $70.00 the third day, etc.	
X Auctioneers, Special, per day	25.00
General, per day	5.00

Read the First Time, May 18th. 1932
Read the Second Time, June 1st. 1932

Amended By NS 186

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 1st day of June 1932

Attest: E M Reynolds
Recorder

NS 180

J J Hosch
Mayor

ORDINANCE NS # 181

An ordinance to amend Section 2 and 3 of Ordinance NS 106.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Sections 2 and 3 of Ordinance NS 106 be and the same are hereby amended to read as follows, to-wit:

Sec. 2. Whenever a greater quantity than five gallons of gasoline or distillate shall be stored or kept within the corporate limits of the City of Bend, except when the same shall be stored in the tank of a motor propelled vehicle for use in said vehicle, or in the act of being transported, said gasoline or distillate shall be stored in metal tanks of weight and thinkness to be first approved by the fire chief or fire marshall of the City of Bend; the said tanks shall not be of larger capacity than 1000 gallons each and not more than three of said tanks shall be grouped together and in case two or three such tanks are grouped together the said tanks shall be not less than two feet apart with a soft dirt filler between; the said tanks shall be properly vented and shall be covered by not less than four feet of soft dirt, or not less than one foot of soft dirt and eight inches of re-inforced concrete; not more than one group of not more than three of such tanks shall be located on each tract or lot 50 x 100 feet in area.

Sec. 3. Any person, firm or corporation desiring to install such storage tanks shall make application in writing to the City Manager and shall pay into the city treasury an inspection fee of $2.50; on the filing of such application and the payment of such fee the City Manager shall cause the premises where such storage tank or tanks are to be located to be inspected, and after the same has met with his approval he shall issue an installation permit, in writing, subject to his approval upon final inspection of the storage tank installation before the same has been buried.

Sec. 2. (Emergency clause if wanted)

Read the first time July 20 1932

Read the second time Aug. 3 1932

Put on passage Aug. 3 1932 Ayes 2

Nays 0

Declared passed Aug. 3 1932

Approved:

J. J. Hosch

Mayor

Attest:

C. M. Reynolds

Recorder.

ORDINANCE N.S. 182

An Ordinance amending Ordinance N.S. 118 as amended by Ordinance N. S. 154, by adding thereto a new section to be known as Section 19-B.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance N.S. 118 as amended by Ordinance N.S. 154 be, and the same is hereby amended by adding thereto a new section to be known as Section 19-B, which section shall read as follows:

Sec. 19-B. It shall be unlawful for any person or persons to loiter or congregate on any bridge across the Deschutes River within the City of Bend or to fish or swim or dive from any such bridge or any part thereof.

Read first time August 3rd, 1932.

Read second time August 24th, 1932.

Placed upon its passage August 24th, 1932.

Ayes 2.

Nays 0.

Declared passed and approved by the Mayor this 24th day of August 1932.

J. F. Hosch
Mayor

Attest:

L. C. Reynolds
City Recorder

MANAGEMENT BOND
A HAMMERMILL PRODUCT

ORDINANCE N. S. 183

An Ordinance to amend Section 2 of Ordinance N. S. 136, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Sec. 2 of Ordinance N. S. 136 be and the same is hereby amended to read as follows, to-wit:

Sec. 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, that it shall be lawful for any person

a. To have in his possession intoxicating liquor lawfully procured and within his possession at the time of the taking effect of this ordinance and to have in his possession intoxicating liquor purchased from a registered pharmacist as hereinafter provided;

b. To make or sell vinegar, alcohol manufactured for denaturization only, and actually denaturized under the rules and regulations of the United States Government, and non-intoxicating cider or fruit juices, or to make or have in possession wine for sacramental purposes only;

c. It shall be lawful for a registered pharmacist, duly licensed as such within the State of Oregon, to sell intoxicating liquor on the prescription of a duly licensed physician in good standing, actually engaged in the practice of his profession in the State of Oregon, to the person to whom such prescription is issued, providing such pharmacist holds a permit to sell such intoxicating liquor issued by the Government of the United States, and only in the manner and to the amount allowed by such permit.

Section 2. WHEREAS, the present ordinance regulating the sale of intoxicating liquor on doctors prescriptions, within the City of Bend is inoperative and not susceptive of complying with the State law, and it is necessary for the preservation of the peace, health and safety of said City that said ordinance be amended to comply with the State law; therefore an emergency is declared to exist and this ordinance shall be and become immediately effective and in full force and effect upon its passage by the Commission and approval by the Mayor.

Read the first time, January 4, 1933.
Read the second time, February 1, 1933.

Put upon its passage February 1, 1933.
Yeas: 3

Nays: 0

Submitted to and approved by the Mayor this 1st day of February 1933.

Mayor

ATTEST:

Recorder.

Repealed By ORS 194

183

ORDINANCE N. S. 184

An Ordinance amending Section 1 of Ordinance N. S. 136, as as amended by ordinance No.N.S.183.
THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Ordinance No. N. S. 136 as amended be and the same is hereby amended to read as follows, to-wit:

Section 1. The words "intoxicating liquor" as used in this Ordinance shall be construed to embrace all spirituous, 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 3.2 percent of alcohol by weight, 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. WHEREAS, the present ordinance regulating the sale of intoxicating liquor restricts the sale of beverages in a manner conflicting with the regulations of the present laws of the United States, and said Ordinance being in conflict therewith and for that reason being inoperative and not susceptive of complying with the said Federal Law, it is necessary for the preservation of the peace, health and safety of the City of Bend that said Ordinance be amended to comply with the said Federal regulations; therefore an emergency is hereby declared to exist and this Ordinance shall be and become immediately effective and in full force and effect upon its passage by the Commission and approval by the Mayor.

Read the first time, March 22, 1933.
Read the second time, April 5, 1933.

Put upon its passage April 5, 1933.
Yeas: 3

Nays: 0

Submitted to and approved by the Mayor this 5th day of April, 1933.

J. F. Kason
MAYOR

ATTEST:
E. M. Reynolds
RECORDER.

Repealed By N.S. 194

ORDINANCE NO. N.S. 185

An Ordinance licensing, regulating and controlling the sale and distribution of non-intoxicating beverages, fixing the amount of license fees, providing for the revocation of licenses and providing other terms and conditions together with a penalty for the violation thereof and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1.

DEFINITIONS.

1. Non-intoxicating beverages: As used in this ordinance the words "non-intoxicating beverages" mean and shall be construed to mean and embrace all beverages intended to be, and used, as a beverage containing one half of one per centum, or more, of alcohol by volume and not more than 3.2 per centum of alcohol by weight, or less, brewed or manufactured, stored, sold or removed for consumption or sale in the City of Bend, by whatever name such beverages may be called, authorized by the laws of the United States to be brewed, manufactured, stored, sold or removed for consumption or sale.

2. Person: The word "person" as used in this ordinance shall mean and include any person, firm or corporation; the singular number shall be understood to include the plural and the masculine pronoun shall include the feminine.

3. Wholesale Dealer: The term "wholesale dealer" as used in this ordinance shall mean any person who keeps, stores or sells or in any manner disposes of non-intoxicating beverages in the original package for resale purposes and not to be consumed in, on or about the premises of the wholesaler.

4. Retail dealer selling in broken packages: The term "retail dealer selling in broken packages" as used in this ordinance shall mean any person maintaining and operating a store and offering for sale or selling from the store non-intoxicating beverages in broken packages to be consumed on the premises of such retail dealer.

5. Retail dealer selling in unbroken packages: The term "retail dealer selling in unbroken packages" as used in this ordinance shall mean any person maintaining and operating a store and offering for sale or selling from the store non-intoxicating beverages in the original or unbroken packages such as by bottle, case or keg and which said beverages are not to be consumed on the premises nor resold.

6. Retail dealer selling in original unbroken packages to be drunk on the premises: The term "retail dealer selling in original unbroken packages to be drunk on the premises" as used in this ordinance shall mean any person maintaining and operating a place where non-intoxicating beverages are sold in original bottles, or containers, and disposed of to consumers with the intention that said bottles be opened and the non-intoxicating beverages therefrom may be drunk on the premises.

7. Store: The word "store" as used in this ordinance shall be construed to mean and include any place in which goods, wares or merchandise of any kind are sold, or kept for sale.

Repealed By NS 194

185

8. Commission: The word "commission" as used in this ordinance shall be construed to mean and include the Mayor and/or commissioners of the City of Bend, and each thereof, or their duly authorized officers or agents as appointed under the Charter provisions of the City of Bend.

9. Sell or Selling: The words "sell or selling" as used in this ordinance shall include the soliciting or receiving of orders for, to keep or expose for sale, to deliver or otherwise dispose of goods, wares and merchandise including non-intoxicating beverages as herein defined.

SECTION 2.

SALE OF NON-INTOXICATING BEVERAGES, LICENSE REQUIRED.

1. It shall be unlawful for any person to keep, store, or offer for sale, sell, serve, or in any manner dispose of non-intoxicating beverages as defined by Section 1, without first obtaining a license therefor.

SECTION 3.

APPLICATION FOR LICENSE.

1. Any person desiring to secure a license to engage in the sale, or the serving of non-intoxicating beverages shall first make application therefor, in writing, to the Commission of the City of Bend on a form prepared and furnished by the Commission which application shall contain such reasonable information touching and concerning the applicant and the proposed location of his place of business as the Commission may require, and submit with such application his license fee herein prescribed, whereupon the commission shall, at its first meeting thereafter, consider said application, and, if, in their judgment, such application should be granted, a license shall be issued and if not so granted, the said license fee accompanying said application shall be returned to the applicant.

SECTION 4.

QUALIFICATIONS OF APPLICANT AND RESTRICTIONS.

1. The Commission shall require of such applicant, either as a retailer or wholesaler as herein provided, evidence that such applicant is of good moral character and a law abiding person and that he will not be liable to violate the terms of this ordinance, but no such application shall be granted, if the said applicant to sell in broken packages proposes to carry on his said business within 400 feet of any public school or school building where school is usually held, and then, the commission shall have the right, if in their judgment the location proposed by such applicant is not a proper place where such non-intoxicating beverages should be sold, to refuse such application and reject the same, and that the said application shall be rejected and disallowed by the commission if, for any other reason, in their judgment, it shall appear that the said applicant is not a proper person to have such license, and further, the said commission shall have the right, at any time after a license is granted as hereinprovided for, to revoke and cancel the same when in the judgment of the said commission it is advisable so to do.

2. Any license granted as herein provided for shall, at all times, be displayed at the place of business of such licensee, and that such place of display shall be convenient for the observation, and check, of any one entering said place of business.

3. The Commission, and/or, its duly authorized officers and agents shall, at all times, have the right and privilege of entering the said licensee's place of business for the purpose of checking the alcoholic content of any beverages there kept for sale or for the purpose of ascertaining if the licensee of such premises is conforming to the provisions of this ordinance.

4. It shall be unlawful for any such licensee to acquire or have on hand, or possess, any non-intoxicating beverage except that which he may have purchased or acquired from a brewer or wholesaler licensed under the provisions of this ordinance or some other law whereby the same may be lawfully acquired, or to suffer or permit any person to drink or consume such non-intoxicating beverage so unlawfully acquired, or to have any intoxicating beverage, or beverages, on his premises, or to sell to or give away any non-intoxicating beverage to any person under the age of eighteen (18) years.

SECTION 5.

LICENSE FEES.

1. Each licensee, according to the class hereinbefore set out and described (which shall be in addition to licenses heretofore provided for under the ordinances of the City of Bend for the operation of other lines of business) shall pay the following annual license fees, to-wit:

Each Wholesale dealer
$40.00 per year, payable in advance.

Each Retail dealer selling in broken packages:
(on draught or in broken packages which may be consumed on the premises)
$40.00 per year, payable in advance.

Each Retail dealer selling in unbroken packages:
$10.00 per year payable in advance.

Each Retail dealer selling in original unbroken packages to be drunk on the premises:
$20.00 per year, payable in advance.

2. License fees herein set out shall be collected annually in advance, payable on the first of each year, and any license fee collected hereunder for the year 1933 to be collected on a basis of three-fourths of one year.

3. Any license fee collected hereunder, where the said license shall later be revoked for reasons as herein provided, shall not be returned to the said licensee in case said license is revoked and cancelled. Said license shall not be transferrable, except on approval by the City Commission.

SECTION 6.

PENALTY FOR VIOLATING THIS ORDINANCE.

1. Any person who shall violate any of the provisions of this ordinance, whether he be a licensee herein or otherwise, upon conviction thereof, shall be punished by a fine not exceeding $500.00 or by imprisonment in the City Jail for not more than

six months, or by both such fine and imprisonment, and in case such convicted person is the holder of a license as herein provided for, such license shall be revoked.

SECTION 7.

1. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this, that the Act of Congress defining and legalizing non-intoxicating beverages goes into effect on April 7, 1933, and in order to give the people of the City of Bend immediate legal right to sell and consume such non-intoxicating beverages, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission, and approval by the Mayor.

Read for the first time March 22, 1933.
Read for the second time April 5, 1933.

Put upon its passage April 5, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 5th day of April, A.D., 1933.

J. F. Hosch
Mayor.

ATTEST:
Recorder.

Repealed By Ns. 194

ORDINANCE N.S. 186

An Ordinance amending Section one of Article XXl of Ordinance N.S. 140, as amended by ordinance N.S. 147 and Ordinance N.S. 161, and Ordinance N.S. 164, and Ordinance N.S. 180.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1, of Article XXl of Ordinance N.S. 140, as amended by section one of Ordinance N.S. 147 as amended by Ordinance N.S. 161 and as amended by Section Three of Ordinance N.S. 164, and Section 1 of Ordinance N.S. 180, be and the same is hereby amended to read as follows:

The fees for all licenses as provided by this Ordinance shall be as follows:

Astrologers, etc. per day	$100.00
Billiard, Card and/or Pool Rooms, per quarter or fraction thereof	10.00
Billiard, Card and/or Pool rooms, for each talbe over one, per quarter	2.50
Bowling Alleys, for each Alley per quarter or fraction thereof	2.50
Food Establishments, per quarter or fraction thereof	1.50
Hawkers, Class 1, per day, or fraction thereof	4.00
" Class 11, per day, or fraction thereof	3.00
+ Hotels, Lodging Houses and/or Rooming houses, per year or fraction thereof	5.00
+ Second Hand Dealers, per quarter or fraction thereof	2.50
Junk Dealers, per quarter or fraction thereof	5.00
Moving Picture Shows, per seatper quarter or fraction thereof	.02
Milk Dealers, per year, distributing less than 25 quarts per day	1.00
From 25 to 50 quarts per day	3.00 -10
From 50 to 100 quarts per day	5.00 -15
From 100 to 300 quarts per day	8.00 -25
From 300 to 500 quarts per day	12.00 -35
From 500 to 700 quarts per day	25.00 -50
From 700 to 900 quarts per day	37.50 -75
From 900 quarts, upwards, per day	50.00 -100
Peddlers, per day, Class 1, (Any fraction of a day is day)	3.00
Class 11,	5.00
Class 111,	7.50
Class IV,	10.00
Class V,	15.00
213 Shooting Galleries, per quarter or fraction thereof	10.00
Photograph Salesmen, per day or fraction thereof	5.00
Solicitors, per day or fraction thereof	3.00
+ Transfer Vehicles, per year or fraction thereof	10.00
+ Vehicles for Hire, per year or fraction thereof	10.00
Transient Merchants, per month of fraction thereof	100.00
Wood Saws, per annum	25.00
Circus, each performance	150.00
Carnivals, per day	150.00
Plus $25.00 for each concession therewith, concession fee to be paid once only.	
Operatic and Dramatic Shows, First Day 1	50.00
With an increase of $10.00 for each and every day thereafter, as $60.00 the second day, $70.00 the third day, etc.	
Auctioneers, Special, per day	25.00
" General, per day	5.00

Read the first time, March 1st, 1933.
Read the Second time, April 19, 1933.
Put upon its passage, April 19, 1933.
Yeas. 3
Nays. 0

Amended By H.S. 213

Submitted to and approved by the Mayor this 19th day of April 1933.

ATTEST:

Recorder.

Mayor.

(186)

ORDINANCE N.S. No. 187

An Ordinance to Amend Section 5 of Ordinance N.S. 108.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. That Section 5 of Ordinance N.S. 108 be and the same is, hereby amended to read as follows:-

Section 5. It shall be unlawful for any person, persons, firm and/or corporation to purchase and/or sell any such explosive for use within the corporate limits of the city unless such purchaser has a license to use such explosive within the City of Bend, such license to be issued by the City Manager upon a showing by the applicant that such applicant is a person competent to use such explosive, the applicant to pay the City of Bend the sum of Ten Dollars therefore, and said license to be good for one year from the date thereof, provided, however, that any licensed drain-man will be issued the license herein provided for upon a showing that the license theretofore issued to him as such drain-man, is not in arrears of payment.

Read for the first time, May 3, 1933.
Read for the second time, May 17, 1933.

Put upon its passage May 17, 1933.

Yeas 2

Nays 0

Submitted to and approved by the Mayor this 17th day of May, 1933.

J. F. Kasch
Mayor.

ATTEST: C. M. Reynolds
Recorder.

(187)

ORDINANCE N.S. No. 188 A-199

An Ordinance to amend Section 3 of Ordinance N.S. 116.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 3 of Ordinance N.S. 116 be and the same is, hereby amended to read as follows:-

Section 3. After favorable action by the City Manager upon said application, the license provided herein 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, to-wit:-

For the installation, alteration, repair and maintenance of plumbing and drainage systems, sewers, septic tanks and cess pools, for a period of one year, the sum of ----------$20.00 X A-199

For the installation, alteration, repair and maintenance of sewers, septic tanks and cess pools, for a period of one year, the sum of ----------$12.50

and no license shall be issued for a period of less than one year.

Read for the first time, May 17, 1933.
Read for the second time, June 7, 1933.

Put upon its passage June 7, 1933.

Yeas 3

Nays 0

Submitted to and approved by the May this 7th day of June, 1933.

Mayor

Attest:

Recorder.

ORDINANCE NO. N.S. 189.

An ordinance to regulate the registry of dogs, to provide for the taking up, impounding and killing of dogs not properly licensed, providing for the licensing of all dogs, providing for the execution of a contract with the County Court and the employment of a deputy charged with the enforcement of this ordinance and providing for a penalty for the violation hereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SEC. 1. It shall be unlawful for any person, owning or having charge, care or control of any dog, male or female, over the age of 8 months to permit or allow the same to run at large upon any street, alley, lot or public place within the corporate limits of the City of Bend, unless there shall be attached, to such dog, a collar on which there shall be a tag with an appropriate number to be obtained from, or through the County Clerk of Deschutes County, Oregon, as hereinafter provided, and it shall be unlawful for any person to imitate or counterfeit such tag and place the same on any such dog within the City.

SEC. 2. The City Manager is hereby empowered, to make application to the County Court of Deschutes County, Oregon, for an agreement between said Court and the City of Bend whereby such City of Bend shall undertake to diligently enforce the collection of licenses imposed under this ordinance within the City limits of the City of Bend and in a manner which shall not conflict with the laws of the State of Oregon as now in force.

SEC. 3. It shall be the duty of the Chief of Police, or any person whom the City Manager may appoint as deputy Pound Master to carry out the provisions of this ordinance, and to cause any dog found running at large, or upon the streets of the City, not having a collar around his or her neck with such tag as in this ordinance provided, to be taken up and impounded, and if such dog shall not be redeemed as hereinafter provided within four days after the impounding thereof, it shall be the duty of the Chief of Police, or such deputy Pound Master, to sell, or cause to be sold such dog, or kill or cause to be killed such dog, and have the same buried outside the limits of the City. The Chief of Police or Deputy Pound Master shall receive from any person, any dog running at large, contrary to the provisions of this ordinance, and all dogs whether taken by said Chief of Police or Deputy Pound Master, or delivered to them, shall be safely restrained by them. If any impounded dog be not reclaimed by the owner thereof, within four days, such dog shall be offered for sale by the officer having such dog in charge, and if no bid is made for such dog at such sale, such dog shall be killed and buried. If sold, the proceeds of such sale shall be paid to the City Treasurer and by him deposited in the General fund. No dog so impounded shall be delivered to the owner or purchaser thereof until a tag is purchased for said dog, and a pound fee of $1.00, plus ten cents per day for keeping such dog during the time it has been impounded, is paid to the City Treasurer, provided that in case where a dog has been impounded for which the owner has purchased a tag and attached the same to a collar and the same has been lost or stolen, on proof thereof, such dog shall be released upon a substitute tag being attached.

Amended 190

SEC. 4. The tag to be attached to the collar of the dog as herein provided for shall be obtained by the owner from the County Clerk of the County of Deschutes, State of Oregon, or from his duly authorized deputy, and the fee, or charges to be collected annually from the owner in a sum not greater than $2.00 for each male or each spayed bitch dog, andnot greater than $3.00 for each female dog over the age of eight months, and that such fees and charges shall be annual fees based on a year, or any fraction thereof, ending December 31st.

SEC. 5. Any person owning or having charge, control or care of any fierce, dangerous or mischievous dog shall, when ordered so to do by the Chief of Police, securely muzzle said dog before permitting it to run at large within the City limits, and in case of failure to forthwith obey orders of such officer, such person shall be deemed guilty of a violation of this ordinance.

SEC. 6. It shall be unlawful for any person or persons to hinder or molest any person, or persons, engaged in seizing or killing any dog, in conformity with the provisions of this ordinance, or to release any dog when impounded with the authority of such Chief of Police or Deputy Pound Master.

SEC. 7. No mad dog, or 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 mad dog running at large, whether it is wearing a license or not, provided, however, that any person killing such dog shall immediately notify the health officer of the City, who shall immediately take charge of the body and examine the head thereof for rabies, and if such examination fails to disclose that such dog was mad, the person killing it shall not be protected by the provisions of this section, and any owner allowing a mad dog, or female dog in heat, to run at large shall be guilty of a vilation of this ordinance and punished accordingly.

SEC. 8. Any person or persons violating the provisions of this ordinace shall, upon conviction thereof, be punished by a fine of not more than Fifty Dollars, or by imprisonment in the City jail for not more than twenty days, or by both such fine and imprisonment.

SEC. 9. In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: That the act of the legislature of the State of Oregon known as house bill No. 116 as passed by the regular session of the 37th legislative assemby permitting and allowing Cities of less than 100,000 population to enter into contracts with the County Court or the dog control district board of any County whereby the said City or town shall undertake to diligently enforce the collection of the license fees imposed under the said act within the City limits of such town to aid in the control of dogs running at large, within said City or town, and in order to give the people of the City of Bend the immediate benefit of said act and to control said dogs running at large, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the commission and approval by the Mayor.

Read for the first time June 9, 1933.

Read for the Second time June 21, 1933.

Put upon its passage June 21, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 21st day of June 1933.

J J Hosch
Mayor

ATTEST:
Recorder.

ORDINANCE NO. N.S. 190

An Ordinance to amend Section 3 of Ordinance No.N.S.189 and declaring an emergency:

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1.
That Section 3 of Ordiance No. N.S.189 be and the same hereby is amended to read as follows:

SECTION 3.It shall be the duty of the Chief of Police, or any person whom the City Manager may appoint as deputy Pound Master to carry out the provisions of this ordiance, and to cause any dog found running at large, or upon the streets of the City, not having a collar around his or her neck with such tag as in this ordinance provided, to be taken up and impounded, and if such dog shall not be redeemed as hereinafter provided within seven days after the impounding thereof, it shall be the duty of the Chief of Police, or such deputy Pound Master, to sell, or cause to be sold such dog, or kill or cause to be killed such dog, and have the same buried within the limits of the City. The Chief of police or deputy Pound Master shall receive from any person, any dog running at large, contrary to the provisions of this ordinance, and all dogs, whether taken by said chief of Police or deputy Pound Master, or delivered to them, shall be safely restrained by them. If any impounded dog be not reclaimed by the owner thereof, within seven days such dog shall be offered for sale by the officer having such dog in charge, and if no bid is made for such dog at such sale, such dog shall be killed and buried. If sold the proceeds of such sale shall be paid to the City Treasurer and by him deposited in the General fund. No dog so impounded shall be delivered to the owner or purchaser thereof until a tag is purchased for said dog and a pound fee of $1.00 plus ten cents per day for keeping such dog during the time it has been impounded, is paid to the City Treasurer, provided that in case where a dog has been impounded for which the owner has purchased a tag and attached the same to a collar and the same has been lost or stolen, on proof thereof, such dog shall be released upon a substitute tag being attached. Immediately after taking up any dog as provided for herein the Pound Master shall use his best efforts to ascertain the person entitled to the possession of such dog and if ascertained shall thereupon notify him of the impounding of the same. In case any impounded dog shall not be claimed by any person within two days after he shall have received notice of such impounding, or in case the pound master, after diligent search and inquiry, is unable to locate such person, the pound master shall, not less than seven days after the impounding of said dog, sell the same at public auction to satisfy the costs and expenses of impounding and keeping said dog, and before selling any such dog or before any such dog shall be killed as hereinbefore provided for, the pound master shall give notice thereof by at least one publication in a news paper published in the City of Bend, at least five days before such sale, or before said dog shall be killed. Said notice shall contain a brief description of the animal, provided however, that a reasonably accurate description of the said dog will be sufficient.

In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: That the City is now actively engaged in the control of dogs running at large without license therefor and it being necessary to dispose of any such dogs so impounded as herein provided for, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approved by the Mayor.

Read for the first time August 2, 1933.
Read for the Second time August 16, 1933.
Put upon its passage August 16, 1933
Yeas 3
Nays 0
Submitted to and approved by the Mayor this 16th day of August, 1933.

J. F. Hosmer
Mayor

ATTEST:

C. B. Reynolds
Recorder.

ORDINANCE NO. N.S. 191

An ordinance pursuant to Chapter 13 of the 1933 Session Laws as appears at page 29 thereof authorizing municipal corporations to accept bonds and interest coupons in payment of special assessments and also in payment for lands sold, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SEC. 1. Pursuant to the power and authority granted by Chapter 13 of the 1933 Session Laws, page 29 thereof, it shall be lawful for the City of Bend to accept the general obligation bonds and/or interest coupons attached of the said City of Bend in payment of all or any part of special assessment liens, interest or penalties of or payable to the City of Bend, and further the said City of Bend is likewise hereby authorized to accept such bonds and/or interest coupons in payment of the purchase price of any lands for sale by the City of Bend, which lands have been heretofore or may hereafter be acquired by the said City of Bend.

SEC. 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, in order that property owners may avail themselves of the rights granted by this ordinance and the statute upon which the same is based at the earliest possible date, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time August 16, 1933.

Read for the second time September 6th, 1933.

Put upon its passage September 6th, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of September, 1933.

J. Z. Hauck
Mayor.

ATTEST:

Recorder.

ORDINANCE NO. N.S. 191

An ordinance pursuant to Chapter 13 of the 1933 Session Laws as appears at page 29 thereof authorizing municipal corporations to accept bonds and interest coupons in payment of special assessments and also in payment for lands sold, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SEC. 1. Pursuant to the power and authority granted by Chapter 13 of the 1933 Session Laws, page 29 thereof, it shall be lawful for the City of Bend to accept the general obligation bonds and/or interest coupons attached of the said City of Bend in payment of all or any part of special assessment liens, interest or penalties of or payable to the City of Bend, and further the said City of Bend is likewise hereby authorized to accept such bonds and/or interest coupons in payment of the purchase price of any lands for sale by the City of Bend, which lands have been heretofore or may hereafter be acquired by the said City of Bend.

SEC. 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this, in order that property owners may avail themselves of the rights granted by this ordinance and the statute upon which the same is based at the earliest possible date, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time August 16, 1933.

Read for the second time September 6th, 1933.

Put upon its passage September 6th, 1933.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 6th day of September, 1933.

J E Hosch
Mayor.

ATTEST:

L G McReynolds
Recorder.

191

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ORDINANCE NO. NS191

AN ORDINANCE PURSUANT TO CHAPTER 13 OF THE 1933 SESSION LAWS AS APPEARS AT PAGE 29 THEREOF, AUTHORIZING MUNICIPAL CORPORATIONS TO ACCEPT BONDS AND INTEREST COUPONS IN PAYMENT OF SPECIAL ASSESSMENTS AND ALSO IN PAYMENT FOR LANDS SOLD, AND DECLARING AN EMERGENCY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Pursuant to the power and authority granted by chapter 13 of the 1933 Session Laws, page 29 thereof, it shall be lawful for the city of Bend to accept the general obligation bonds and/or interest coupons attached of the said city of Bend in payment of all or any part of special assessment liens, interest, or penalties of or payable to the city of Bend, and, further, the said city of Bend is likewise hereby authorized to accept such bonds and/or interest coupons in payment of the purchase price of any lands for sale by the city of Bend, which lands have been heretofore or may hereafter be acquired by the said city of Bend.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace, and safety of the city of Bend in this, in order that property owners may avail themselves of the rights granted by this ordinance and the statute upon which the same is based at the earliest possible date, therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the commission and approval by the mayor.

Read for the first time August 16, 1933.
Read for the second time September 6th, 1933.
Put upon its passage September 6th, 1933.
Yeas: 3
Nays: 0

Submitted to and approved by the mayor this 6th day of September 1933.

J. F. Hosch
Mayor

Attest:

L. G. McReynolds
Recorder

ORDINANCE NO. N. S. 192

An Ordinance to provide for the issuance of the City of Bend, Oregon, refunding Bancroft Bonds in the principal sum of $25,000.00; prescribing the form of said bonds and of the coupons attached thereto and for the sale or exchange of said bonds for the outstanding Bancroft Bonds of said City which will mature November 1, 1933, and declaring an emergency.

WHEREAS, on November 22, 1923, pursuant to Ordinance No. 229 passed by the Council and approved by the Mayor of the City of Bend on the 22nd day of November, 1923 as authorized by the charter of said City of Bend adopted November 22, 1911, the said City of Bend issued $110,021.70 of Bancroft Bonds of the City of Bend, Oregon, 1923, and which said bonds were in denominations of $500.00 each and were numbered consecutively from 1 to 221 inclusive, bearing interest at the rate of 6 per cent per annum, payable semi-annually on the 1st day of November and May of each and every year, and which said bonds ran for a period of 10 years from said date, and of which $25,000.00 will mature on November 1, 1933, and onwhich said date will be due and payable, and

WHEREAS, there are no funds on hand in the treasury of said City of Bend to apply in payment of the principal of any of said bonds, THEREFORE;

THE CITY OF BEND DOES ORDAIN

Sec. 1 That there be issued $25,000.00 of refunding bonds of the City of Bend, by virtue of this ordinance and as authorized by Chapter 156, Oregon Laws, 1933, for the purpose of refunding a like amount of Bancroft Bonds of said City issued on the first day of November, 1923, and which said bonds will become due and payable on the first day of November, 1933; the said refunding bonds shall be in the denomination of $500.00 each; shall be dated November 1, 1933; shall mature in installments of $1500.00 each of the years 1935 and 1936, $2,000.00 each of the years 1937 and 1938, $2,500.00 each of the years 1939 and 1940, $3,000.00 each of the years 1941 and 1942 and $3,500.00 each of the years 1943 and 1944 and shall bear interest at the rate of six per cent per annum, payable semi-annually in November and May of each year. The said bonds shall be signed by the Mayor and City Recorder, and the coupons attached thereto shall bear the facsimile signature of said officers. The principal of and the interest on such bonds shall be payable at the office of the City Treasurer of the City of Bend and the bonds shall be numbered 1 to 50 inclusive and be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF OREGON
CITY OF BEND
REFUNDING BANCROFT BONDS

BOND

The City of Bend in the County of Deschutes and the State of Oregon, for value received hereby promise to pay to bearer the sum of Five Hundred Dollars on the 1st day of November, 19___, with interest thereon at the rate of six per cent per annum, payable semi-annually, upon presentation and surrecnder of the interest coupons therefore hereto attached as they respectively mature, both principal and interest being payable at the office of the City Treasurer in Bend, Oregon.

This bond is one of a series of like date and tenor, except as to maturity and issued as a part of a total issue of $25,000.00 of such bonds for the purpose of refunding a like amount of Bancroft bonds of said City due November 1, 1933, which were issued by virtue

and in pursuance of Ordinance No. 229 duly passed by the Council and approved by the Mayor on the 22nd day of November, 1923, and it is hereby certified that every requirement of the constitution and laws of the State of Oregon has been duly complied with in the issuance hereof, and that this bond is within every debt and other limitation prescribed by the constitution and laws of the State of Oregon and by the charter of said town.

IN WITNESS WHEREOF, the City of Bend, Oregon, has caused this bond to be signed by its mayor and countersigned by its Recorder under the corporate seal of said City and the interest Coupons attached hereto to bear the engraved facsimile signature of said Mayor and Recorder, all as of the first day of November, 1933.

J. F. Hosch
Mayor

Countersigned,

L. G. McReynolds
Recorder

COUPON

No._____ $15.00

On the____day of_____, 193___the City of Bend, Oregon will pay to bearer

y DOLLARS

AT the office of the City Treasurer in Bend, Oregon for six months interest then due on its refunding Bancroft bond.

Dated this 1st day of November, 1933.

L. G. McReynolds, Recorder. J. F. Hosch, Mayor.

Sec. 2. That the Commissioners of the City of Bend levy a tax or provide other funds by law in 1934 and each year thereafter to and including the year 1944 for the payment of interest on, and principal of said bonds in amounts as follows:

	Principal	Interest
1934		$1500.00
1935	$1500.00	1500.00
1936	1500.00	1410.00
1937	2000.00	1320.00
1938	2000.00	1200.00
1939	2500.00	1080.00
1940	2500.00	930.00
1941	3000.00	780.00
1942	3000.00	600.00
1943	3500.00	420.00
1944	3500.00	210.00

Sec. 3 The Recorder is hereby authorized and instructed to advertise said bonds for sale at a special meeting of the Commissioners to be held on the 5th day of October, 1933, by publication of notice of such sale once each week for two successive weeks immediately prior to said meeting in a news paper of general circulation published in Bend, Deschutes County, Oregon, said notice to provide that the Bonds shall bear interest at the rate of six per cent per annum, payable semi-annually; that they shall be sold to the highest responsible bidder; that bids for the purchase of said bonds shall be accompanied by a certified check in favor of the City of Bend for two per cent of par value of said bonds and that the Commission reserves the right to reject any or all bids, or to sell all or any part of the bonds.

Sec. 4 In the event that the Commission does not receive a satisfactory bid, or bids, for said refunding bonds, the Mayor and Recorder shall, if possible, cause said bonds to be exchanged, par value for par value, for said Bancroft bonds maturing November 1, 1933 pursuant to agreements entered into betweem the said Mayor and Recorder acting in behalf of said City of Bend and the holders of the said outstanding Bancroft bonds.

Sec. 5 WHEREAS, it is essential that the outstanding Bancroft bonds of theCity of Bend which will mature November 1, 1933 be refunded, redeemed and retired on their due date without delay through sale of the aforesaid refunding bonds, or through exchange thereof for the matured bonds, and it is therefore necessary for the peace, health, safety and credit of the City of Bend, Oregon, that this ordinance take effect immediately, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read for the first time September 6, 1933,
Read for the second time September 20, 1933

Put upon its passage September 20, 1933

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 20th day of September, 1933.

J. D. Hauch
Mayor

ATTEST:

Recorder

Repealed by NS 1442

ORDINANCE NO. N.S. 193

An ordinance providing that on and after October 1, 1933, any person, firm, co-partnership, association or corporation privately owning and then operating a public utility and using and/or occupying, in whole or in part, the streets, avenues, lanes, alleys, public highways, public grounds, or public places and continuing to use and/or occupy the same without a franchise shall pay a privilege tax; providing for the privilege tax; fixing the amount of the privilege tax, the time, manner, and mode of payment; requiring statements of gross earnings; providing against estoppel or waiver, and imposing penalties, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec.1 PRIVILEGE TAX LEVIED: On and after October 1, 1933, any person, firm, co-partnership, association or corporation privately owning and then operating a public utility and using and/or occupying and continuing to use and/or occupy the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits of the City of Bend without a franchise shall pay a privilege tax for the use and occupancy of the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits of the City. The privilege tax shall be in an amount of five (5) per cent of the gross revenue earned by the utility, payable every three months, within the corporate limits of the City. The privilege tax shall commence on the first day of October, 1933, and shall be due and payable each three months thereafter and so long as the utility continues to operate within the city and to use and/or occupy the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds or public places without a franchise. In the event a franchise is granted to any person, firm, co-partnership, association, or corporation to operate a utility that is subject to the privilege tax herein required and the franchise becomes effective then the privilege tax shall cease to apply from the effective date of the franchise, but the franchise holder shall pay the proportionate earned amount of the privilege tax for the then quarterly period, and the privilege tax shall in such cases become immediately due and payable, and if not paid, collectible, as provided in section 3 of this ordinance.

Sec.2 REPORT OF GROSS EARNINGS: Each person, firm or co-partnership operating a public utility subject to the privilege tax provided for in Section 1 of this ordinance, or if such utility be an association or a corporation, then the President and/or secretary and/ or treasurer and/ or general manager or other officer or agent of such association or corporation having general control, management, or supervision of its business in the City, shall file with the Recorder a statement, verified under oath, of the utility's gross revenues earned within the boundary of the City for each three months period. The first quarterly report shall be filed on or before January 15, 1934, and subsequent quarterly reports shall be filed on or before April 15, July 15th and October 15th of each year, and as long as the utility operates without a franchise. In the event a franchise is granted to any person, firm, co-partnership, association or corporation to operate a utility that is subject to the privilege tax herein required and the franchise becomes effective then a report shall be filed with the Recorder within ten days after the franchise becomes effective showing the gross revenues earned for the proportionate period of the quarter.

Sec.3 TIME OF PAYMENT OF TAX: The first payment of the privilege tax shall be paid for the quarter ending December 31, 1933 on or before January 20, 1934, and subsequently quarterly payments shall be made on or before April 20th, July 20th and October 20th and January 20th of each year. In the event the utility fails to pay the privilege tax within the time fixed, the City Treasurer shall notify the City Attorney of such fact and the City Attorney is authorized to and shall institute an action or proceeding in any Court of the State of Oregon against the person, firm, co-partnership, association, or corporation owning and operating the utility to recover the amount of the privilege tax due the City.

Sec.4 PENALTY FOR FAILURE TO REPORT: Any person, firm, or co-partnership subject to this ordinance, or any officer or agent of any association or corporation subject to the provisions of this ordinance, who fails, neglects or refuses to file with the Recorder the quarterly statement of gross earnings of the association or corporation of which he is an officer or agent for a period of ten (10) days after the statement is required to be filed with the Recorder, shall, upon conviction thereof in the Municipal Court be punished by a fine of not more than Five Hundred ($500.00) Dollars or by imprisonment in the City jail for not more than six (6) months or by both such fine and imprisonment, and each day of such failure, neglect, or refusal to file the statement with the Recorder shall be deemed a separate offense and shall subject such person, officer, or agent to like conviction and punishment.

Sec.5 PRIVILEGE TAX APPLICABLE TO OTHER CASES: The terms of this ordinance and the privilege tax herein required shall immediately apply and continue to apply to all persons, firms, co-partnerships, associations or corporations privately owning and/or operating public utilities using and/or occupying and continuing to use/ and /or occupy the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits where, on or after October 1, 1933, the utility's franchise to so operate expires and no new franchise shall have been granted and become in full force and effect.

Sec.6 NO WAIVER OR ESTOPPEL: Nothing in this ordinance or any other ordinance granting a franchise or right to any person, firm, co-partnership, association or corporation to operate a privately owned utility, nor anything done or performed, or moneys expended under any ordinance, shall be regarded or held to estop or prevent the city from requiring the utility to cease using and/or occupying the whole or any part of the streets, avenues, lanes, alleys, public highways, public grounds, or public places within the corporate limits upon the expiration or other termination of such franchise or right to use and/ or occupy in whole or in part the streets, avenues, lanes, alleys, public highways, public grounds, or public places.

Sec.7 EMERGENCY: In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: In order that the property owners may avail themselves of the rights granted by this ordinance and the laws of the State of Oregon relating hereto, at the earliest possible date, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.
Read for the first time September 6, 1933.
Read for the second time September 20, 1933
Put upon its passage September 20, 1933.
Yeas 3
Nays 0
Submitted to and approved by the Mayor this 20th day of September, 1933.
ATTEST

E M Reynolds
Recorder

J. F. Hosch
Mayor

ORDINANCE NO. N.S. 194

An Ordiance repealing ordinances Numbered N. S. 136, N. S. 183, N. S. 184 and N. S. 185, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1.
That Ordinances Numbered N.S.136, N.S.183, N. S.184 and N. S. 185, be and the same are hereby repealed.

Section 2.
Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this, that the 18th Amendment to the Federal Constitution has been repealed or abrogated and the State of Oregon is thereby vested with power and authority to control and regulate the sale and disposition of any and all intoxicating liquor and the Legislature of the State of Oregon have provided means for the handling of such liquor to the exclusion of all other authority in the State of Oregon except the United States of America and that the ordinances hereby repealed are in conflict with such State law and should be repealed without delay, therefore an emergency is hereby declared to exist and this ordiace shall be in force and effect from and after its passage by the Commission, and approval by the Mayor.

Read for the first time December 5, 1933.

Read for the Second time January 3, 1933.

Put upon its passage January 3rd, 1934.

Yeas 3

Nays 0

Submitted to and approved by the Mayor this 3rd day of January, A. D., 1934.

J. H. Thurston
Mayor

ATTEST:

E. B. Reynolds
Recorder.

Ordinance No. N. S. 195

An Ordinance to provide for the regulation and control of the manufacture of an traffic in alcoholic beverages, to provide a system of licenses, to define certain offenses and the punishment thereof, and repealing all other ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

The City of Bend does ordain as follows:

Section 1. SHORT TITLE. This ordinance may be cited as the City Liquor ControlOrdinance.

Section 2. DECLARATION OF POWER. Acting as far as applicable in pursuance of the power granted to the City by the Constitution of Oregon, and its charter, and acting as one of the subordinate municipal agencies of the State of Oregon under an act of the Legislative Assembly of the State of Oregon entitled, "An Act to provide for the regulation and control of the manufacture of and traffic in alcoholic beverages; to establish a commission to administer said act and define the duties thereof, and making an appropriation therefore; to provide a system of licenses and permits; to define certain offenses and the punishment thereof; repealing certain acts herein specified; and declaring an emergency." passed by the Second Special Session of the Oregon Legislative Assembly, 1933, December 9, 1933, and signed by the Governor, December 15, 1933, and for the purpose of assisting the State of Oregon in the carrying out of such act in the City pending the time necessary for the state to act in full compliance with its said act by and through its Oregon Liquor Control Commission created by the said act and that alcoholic liquors within the corporate limits may be imported into, manufactured, kept for sale, sold and consumed and that in the event the Supremem Court of Oregon should declare said act or any part thereof in contravention of the Constitution of Oregon or any section thereof or decreeing that the municipalities of the State of Oregon are in control of liquor, that the City will have an ordinance controlling liquor, the Commission ordains that this ordinance shall be deemed an exercise of the police powers of the city and as a subordinate agency of the state, for the protection of the safety, welfare, health, peace and morals of the city and the state, to prevent the recurrence of abuses associated with saloons or resorts for the consumption of alcoholic beverages and to eliminate the evils of unlicensed and unlawful manufacture, selling and disposing of such beverages and to promote temperance in the use and consumption of alcoholic beverages; and it hereby is declared that the subject matter of this ordinance involves in the highest degree the economic, social and moral well-being and the safety of the city and all its people and by reason thereof is a necessary subject for immediate general legislation in order that each municipality throughout the state may put into full force and effect in so far as applicable the general legislation operating uniformly throughout the state by reason of the aforementioned Oregon Liquor Control Act and all provisions of this ordinance shall be liberally construed for the accomplishment of these purposes.

Section 3. DEFINITIONS. For the interpretation of this ordinance unless the context indicates a different meaning:

1. The words "alcoholic liquor" mean any alcoholic beverage containing more than one-half of one per cent of alcohol by volume, and every liquid or solid, patented, or not, containing alcohol, and capable of being consumed by a human being.

2. The word "club" means an association of persons, whether incorporated or unincorporated, for the promotion of some common subject (not including associations organized for any commercial or business purpose the object of which is money profit), owning, hiring or leasing a building, of such extent and character as in the judgment of the Council may be suitable and adequate for the reasonable and comfortable use and accomodation of its members and their guests and provided with suitable and adequate

kitchen and dining room space and equipment, implements and facilities, and employing a sufficient number of servants or employes for cooking, preparing and serving food and meals for its members and their guests; provided, that no member or any officer, agent or employee of the club is paid, or directly or indirectly receives in the form of salary or other compensation, any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or governing body, and as shall, in the judgment of the council be reasonable and proper compensation for the services of such member, officer, agent or employee.

3. The word "hotel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served and sleeping accomodations are offered for pay to transient guests, in which 20 or more rooms are used for the sleeping accommodation of such transient guests and having one or more dining rooms where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings, in connection therewith, and such structure or structures being provided, in the judgment of the council commission with adequate and sanitary kitchen and dining room equipment and capacity, and having employed therein such number and kinds of servants and employees as the council may by regulation prescribe for preparing, cooking and serving suitable food for its guests.

4. The word "restaurant" means space, in a suitable building, approved by the council, kept, used, maintained, advertised or held out to the public to be a place where meals are served without sleeping accommodations, such space being provided, in the judgment of the council, with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein such number and kinds of servants and employes as the council may by regulation prescribe for preparing, cooking and serving suitable food for its guests.

5. Whenever the words "to sell" refer to anything forbidden under this ordinance, and relate to alcoholic liquor, said words include: To solicit or receive an order for; to keep or expose for sale; to deliver for value or in any other way than purely gratuitously; to peddle; to keep with intent to sell; to traffic in; for any consideration, promised or obtained, directly or indirectly, or under any pretext or by any means whatsoever, to procure or allow to be procured for any other person; and the word "sale" includes every act of selling as above defined.

6. The word "person" includes an individual, partnership, corporation or club.

7. Commission - The word "Commission" as used in this Ordinance shall be construed to mean and include the Mayor and/or Commissioners of the City of Bend, and each thereof, or their duly authorized officers or agents, as appointed under the charter provisions of the City of Bend.

Section 4. LIQUOR PURCHASES. Between the time the State of Oregon acting by and through its Liquor Control Commission is organizing to take over the full control of liquor in the state and the time the said commission actually takes full jurisdiction and control over alcoholic liquor in the state and in each municipality in the state, it shall be unlawful, except as hereinafter provided, for any person to bring into the city, manufacture, produce, keep, store, offer for sale, sell or serve, or in any other manner dispose of alcoholic liquors in the city without first obtaining a license.

Section 5. ENUMERATION OF LICENSES. Licenses shall be subject to the regulations of the council, and the provisions of this ordinance, and shall be of the following classes, enumerated and described in this section:

1. Brewery Licenses. A brewery license shall allow the manufacture, storage, wholesale and retail sale, distribution and transportation of beer. It shall be unlawful for any licensee of a brewery to sell any beer to be consumed on such brewery premises, if located within the city.

2. Winery License. A winery license shall allow the licensee to manufacture, store, wholesale and retail wines of an alcoholic content of not more than 14 per cent of alcohol by volume, and to manufacture and store wines and fortified wines containing in excess of 14 per cent of alcohol by volume and to sell the same, and to transport the same out of the city for sale beyond the limits of the City. It shall be unlawful for any licensee of such winery to sell any wine for consumption upon his premises, if located within the city.

3. Farmer's Winery License. A farmer's winery license shall permit any farmer who grows grapes or other fruits upon his land to manufacture wine out of such grapes or other fruits and no other, and to sell such wine at wholesale or retail in the city, provided the same shall not contain more than 14 per cent of alcohol by volume. Nothing herein shall be construed as to permit such licensee to fortify such wine. It shall be unlawful for any such licensee to sell any of such wine for consumption upon his premises, if located within the corporate limits of the city.

4. Distillery License. A distillery license shall allow the holder thereof to manufacture, distill, import, rectify, blend and store spirits of an alcoholic content greater than 14 per cent of alcohol by volume, and to sell the same in the city and to transport the same out of the city for sale outside of the city. It shall be unlawful for any such licensee to sell any alcoholic liquors of any kind for consumption on his premises, if located within the city.

5. Wholesaler's License. A wholesaler's license shall allow such licensee to bottle, sell, and/or distribute, and to wholesale beer and/or wine containing not over 14 per cent of alcohol by volume. It shall be unlawful for any such licensee to sell any of such beer or wine for concumption upon his premises, if located in the city; such wholesaler may be granted a license for the special privilege authorized by paragraph 15 of this section upon the payment of the fee provided therefor and in section 7.

6. Restaurant License. A restaurant license shall allow the licensee to sell to customers seated at tables or seated at a lunch counter over which actual meals are served, on the premises, beer and wine containing not over 14 per cent alcohol by volume, such beer and wine to be sold with actual meals only. No order of such beer or wine shall be filled unless the customer at the time shall also order a meal.

7. Hotel License. Hotel licenses shall be inall respects identical as to privileges, obligation and penalty with restaurant licenses. The sale of any alcoholic liquor in any hotel other than above specified shall be unlawful, and the licensee shall not allow the public consumption of any beer or wine having a content of more than 14 per cent of alcohol by volume in any public room in the hotel.

8. Club Licenses. Whenever a club as defined in section 3 hereof has been in existence and acting not less than two years prior to application therefor, and not otherwise, a club license may be issued which shall allow the retail sale of beer and wine containing not over 14 per cent of alcohol by volume, to be consumed on the premises, and only by members or their guests. The sale of any alcoholic liquor in such club other than as above specified shall be unlawful.

9. Package Store License. A package store license shall allow the sale by the licensee of beer and wine containing not over 14 per cent of alcohol by volume in sealed packages at retail, such beer and wine not to be consumed upon the premises of such licensee. Such licensee shall be of two classes:

(a) A license allowing the sale of beer containing not over 5 per cent of alcohol by weight.

(b) A license permitting the sale of beer and wine containing not over 14 per cent of alcohol by volume.

Such package store licensee may be granted a license for the special privilege authorized by paragraph 15 of this section upon the payment of the fee provided therefor and in section 7.

10. Retail Beer License. A retail beer license shall allow anyone operating a place of business where refreshments are served, including restaurants, hotels and clubs, and who otherwise is qualified, to sell for consumption on the premises, by the bottle or glass, beer containing not over 5 per cent of alcohol by weight.

11. Druggist's License. A druggist's license may be issued to any person operating a pharmacy, and who is or has in his employ a qualified registered pharmacist under the laws of the State of Oregon. A druggist's license shall allow the use of alcoholic liquors for the compounding of physicians' prescriptions, and for the manufacturing of all U.S.P. and N.F. preparations and all other medicinal preparations unfit for beverage purposes, and shall allow the sale of all alcoholic liquors listed in the U.S.P. and N.F. in containers of not more than one quart capacity, upon prescription only, and with the limit of one quart on each prescription. It shall be unlawful for any such licensee to permit the drinking of such alcoholic liquors on the premises of any drug store, except that such drug store may hold a retail beer license. Such licensee may for such purposes, purchase alcoholic liquor containing in excess of 14 per cent of alcohol by volume from any source pending the time the Oregon Liquor Control Commission takes full jurisdiction over the licensing, controlling and regulation of alcoholic liquors within the state; such druggist may be granted a license for the special privilege authorized by paragraph 15 of this section upon the payment of the fee provided therefor and in section 7.

12. Sales on Prescription. Registered pharmacists shall be allowed to fill a prescription for any physician duly licensed by the State of Oregon of alcoholic liquors of any kind, without regard to any local option laws or ordinance forbidding the sale of such liquors, provided such prescription shall include the name and address of the person for whom it is prescribed, and shall be signed by the full name of such physician issuing such prescription. Such prescription shall be filled only once, and the person making the sale of such prescription shall write on the face thereof the number of such prescription, and the date of the sale or delivery of such liquor and shall keep such prescription on file and available at all reasonable times to the inspection of the council. File 77.

13. Railroad or Boat License. A license may be granted to any corporation which operates an electric or steam railroad in this state or which operates club, parlor, or dining cars upon the lines of any railroad in this state, or to any corporation or person operating a boat or boats engaged in the transportation of passengers to or from any port in this state. Such permit shall allow the sale and public consumption of beer containing not more than 5 per cent of alcohol by weight, and beer and wine containing not over 14 per cent of alcohol by volume with actual meals in club or dining cars only, if such licensee desires to so sell and serve such liquors within the corporate limits of the city.

14. Industrial Alcohol License. An indistrial alcohol license shall be issued to any person upon compliance with such regulations and conditions as may be fixed by this ordinance. Such permittee shall be authorized to manufacture and sell proprietary and patent medicines, perfumes, lotions, flavoring extracts and other preparations unfit for beverage purposes, within the corporate limites.

15. Until the time the State of Oregon, by and through its Liquor Control Commission shall establish such stores and warehouses in such places in the state (authorized by section 14 of said state act) as in its judgment

are required by public convenience or necessity for the sale of spirituous liquors, wines or other alcoholic liquors containing over 14 per cent of alcohol by volume, in sealed containers for consumption off the premises, and shall keep on hand in such stores or warehouses established by it such quantities and kinds of alcoholic liquors as shall reasonably be required to supply the public demand, a wholesale licensee, a package store licensee, a druggist licensee may purchase, store, sell, have in possession for sale, import or transport spirituous liquor, fortified wine, wine containing over 14 per cent of alcohol by volume, or any other alcoholic liquor containing over 14 per cent of alcohol by volume, provided and conditioned that such wholesale licensee, such package store licensee, or such druggist licensee, shall if desirous of selling such liquors, in sealed packages, pending such time pay an additional annual license fee of $50.00 for such privilege. This privilege license shall be in force and effect only until such time as the state shall take over the full control of alcoholic liquors by its said act.

Section 6. APPLICATION FOR LICENSE. Any person desiring a license or a renewal of a license shall make a sworn statement to the Commission upon forms to be furnished by the Commission showing the name and address of the applicant, his citizenship, location of the club or place of business which is to be operated under such license, and such other pertinent information as the Commission may require. No license shall be granted or renewed until the provisions of this ordinance and the regulations of the Commission shall have been complied with. Upon receiving an application for a license, the Commission shall investigate the statements contained in the application, the premises where the applicant proposes to do business, and make such other and further investigations as it may deem proper to ascertain whether the applicant conforms to all of the requirements of this ordinance. The Commission shall consider all applications and may grant or refuse to grant a license. Upon the granting of a license by the Commission, it shall cuase to be issued a permit, on a form to be furnished and provided for that purpose and signed by the Recorder, to the applicant, upon the payment to the City Treasurer of the license fees required by this ordinance.

Section 7. LICENSES--AMOUNTS THEREOF. The license fee which shall be paid by each applicant upon the granting of a license, and required of each class of licensee, is as follows:

Annual License	Fee
1. Brewery	$500.00
2. Winery	250.00
3. Farmer's Winery	25.00
4. Distillery	100.00
5. Wholesaler	250.00
6. Restaurant	100.00
7. Hotel	100.00
8. Club	50.00
9. Package store, class A.	10.00
10. Package store, class B.	50.00
11. Druggist	10.00
12. Railroad, club or dining car	50.00
13. Boat	50.00
14. Barge	200.00
15. Retail Beer	15.00
16. Industrial alcohol, except licensed druggists,	100.00
17. Additional license privilege granted by Section 5, paragraph 14	50.00
18. Individual license to buy	1.00

All licenses issued as herein provided, on and subsequent to January 1st of any year, shall not expire until December 31st of the year in which issued, and shall be issued only for the full year.

Section 8. LICENSES NOT GRANTED TO CERTAIN PERSONS. The Council may refuse to license any applicant if it has reasonable grounds to believe any of the

following to be true:

1. That there are sufficient licensed premises in the locality of the licensee's premises, or that the granting of a license in the locality set out in the application is not demanded by public interest or convenience.

2. That the applicant lacks sufficient funds to maintain an establishment properly:

3. That any applicant to sell at retail for consumption on the premises has been provided with funds, or has any connection with the manufacture of or wholesale dealer in alcoholic liquor;

4. The applicant is in the habit of using alcoholic beverages to excess;

5. That the applicant has made false statements in his application for a license;

6. That the applicant is not a citizen of the United States, or incompetent or physically unable to carry on the management of the establishment proposed to be licensed;

7. That the applicant has been convicted of violating any of the alcoholic liquor laws of the state, general or local, or ordinances of the city, or has been convicted at any time of a felony;

8. That the applicant has maintained a noisy, lewd, disorderly, or unsanitary establishment;

9. That there is any other reason which in the opinion of the Commission, based on public convenience or necessity, warrants such refusal to grant such license.

Section 9. LICENSE MAY BE CANCELLED. The Commission may cancel or suspend any such license granted if it finds or has reasonable ground to believe any of the following to be true:

1. That the licensee has violated any provision of this ordinance or any laws of the State of Oregon or the United States, or any regulation of the United States Government, State of Oregon, or the city, controlling, regulating or licensing the sale of alcoholic liquors;

2. That the licensee has made any false representations or statements in his application for a license, in order to induce or prevent action by the Commission;

3. That any retail licensee is acting as an agent of a manufacturer or wholesaler of alcoholic liquors, or has borrowed money or property, or accepted gratuities, or obtained the use of equipment from such manufacturer or wholesaler, or agent thereof;

4. That the licensee maintains a noisy, lewd, disorderly or unsanitary establishment, or has been supplying impure or otherwise deleterious beverages for food;

5. That the licensee is insolvent or incompetent or physically unable to carry on the management of his establishment;

6. That the licensee is in the habit of using alcoholic liquor or habit-forming drinks to excess;

7. That the licensee knowingly has sold alcoholic liquor to persons under twenty-one years of age, or to an Indian; to persons known to be drunkards; to interdicted persons, or to persons visibly intoxicated at the time of the sale; or to other persons not authorized by law to make such purchase.

8. That the licensee has misrepresented to a customer or the public any alcoholic liquor sold by him;

9. That the licensee, since the granting of his license, has been convicted of a felony, or convicted of violating any of the liquor laws of the State of Oregon, United States Government, or this ordinance;

10. That there is any other reason which in the opinion of the Commission based on public convenience and necessity, warrants cancelling or suspending such license;

11. That the licensee has been convicted of drunkenness;

12. That the licensee has been convicted of a crime involving physical violence;

13. That the licensee has been convicted of driving any automotive vehicle while under the influence of alcoholic liquor, or drunk;

14. That the licensee is receiving financial support or welfare or unemployment aid from any public agency.

Section 10. NOTICE OF HEARING. Whenever information shall come to the Commission, or to the Chief of Police, that any licensee has committed any act rendering his license subject to revocation, it shall be the duty of the officer having such information to forthwith submit the facts, in writing, to the City Attorney. Should it appear to the City Attorney from such report or from other information that there is probable cause for the revocation of such license, he shall make a report thereof to the Commission, stating in general terms the grounds of complaint against such licensee. Such report shall be filed with the Recorder and a copy thereof served upon the licensee, together with a notice citing him to appear before the Commission for investigation of said complaint, at a time and place fixed and stated in such notice. The Recorder shall transmit such report to the Commission. In case personal service cannot be made upon the licensee, the notice shall be mailed to the licensee, addressed to his last known business address. No further pleadings shall be necessary. Such hearing and investigation shall be informal. If upon such hearing or investigation the Commission finds that cause exists for the revocation of such license, the same may be revoked by the Commission.

Section 11. LICENSES GRANTED SHALL BE PURELY PERSONAL PRIVILEGE. Any license granted under the provisions of this ordinance shall be a purely personal privilege, good for the year or proportionate part of the year for which issued, and ending on December 31st of each year at 12 o'clock midnight, and revocable for the causes hereinbefore stated, and shall not constitute property, nor shall it be subject to attachment or execution, nor shall it be alienable, nor shall it descend by the laws of testate or intestate devultion, but shall cease upon the death of the licensee; provided, that the Commission may by regulation provide for the time and manner in which the successor in interest of any deceased, insolvent or bankrupt licensee may dispose of alcoholic liquors left on hand by the licensee.

Section 12. GENERAL REGULATIONS

1. All license permits shall be posted in a conspicuous place on the premises and be kept posted during the full period of time for which the license is issued;

2. It shall be unlawful to sell, assign or otherwise transfer such license;

3. It shall be unlawful to issue a power of attorney for any purpose over the license;

4. The Chief of Police or any police officer, or any officer of the United States, or the Inspector of Licenses, Deputy Inspector of Licenses, or the City Health Officer shall have the right at any time to make an examination

of any licensed premises to ascertain if the licensee of such premises is conforming to the provisions of the ordinances of the city and with the laws of the State of Oregon and of the United States;

5. Any licensed person desiring to change his place of business from onelocation to another shall file with the Recorder an application therefor. The Commission shall make an investigation of the new proposed place of business, and shall consider said application without delay and either approve or reject the same.

6. In the event the licensee sells or transfers his business, or any interest therein, a new license shall be required;

7. The Commission, acting by and through its self, or agents, shall have the right at any time to make an examination of the books and premises of any licensee, or to take the alcoholic liquor content of liquors carried by said licensee, for the purpose of determining whether this ordinance is being complied with;

8. All firms, persons or corporations hereby are prohibited from brewing, fermention, distilling, blending or rectifying any alcoholic liquor unless licensed so to do; provided that this act shall not apply to the making of naturally fermented wines and fruit juices or beer in the home, for home consumption and not for sale;

9. It shall be unlawful for any licensee to use, or allow the use of, anymark or label on the container of alcoholic liquor which is kept for sale, which container does not precisely and clearly indicate the nature of the contents of each container, or which in any way might deceive any customer as to the nature, composition, quantitym age or quality of such liquor;

10. No such holder of a license may for any reason mix or permit the mixing of any alcoholic liquor which he is authorized to sell with any alcoholic liquor, the sale of which is not authorized by his license;

11. The Commission may prohibit any licensee from selling any brand of alcoholic liquor which in its judgment is deceptively labeled or branded as to content, or contains injurious or adulterated ingredients;

12. All beer sold in this city must be made of pur hops or pur extract of hops and pure barley malt, or other wholesome grain or cereals, and wholesome yeast and pure water, and must be aged at least six weeks. Sixty-six and two-thirds per cent of the extract yielding materials used in the manufacture of such beer must consist of pure barley malt;

13. It shall be unlawful for any person to peddle or deliver alcoholic liquor to or at any place where, without a license, alcoholic liquor is sold or offered for sale, or for any licensee to sell, or offer for sale, any alcoholic liquor of a kind or in a manner, or to a person other than his license permits him to sell;

14. It shall be unlawful for any person to sell alcoholic liquor to any person under the age of twenty-one years, or to an Indian;

15. It shall be unlawful for any person, being the holder of a license to sell alcoholic liquor, either for consumption on his premises, or in sealed packages, to receive assistance financially, or in some other material manner, from any manufacturer or wholesaler of alcoholic liquor, or agent thereof, or for any manufacturer or wholesaler, or agent thereof, to give such assistance;

16. It shall be unlawful for any person to maintain, or assist in maintaining, a common nuisance as defined by this ordinance, or for any person not being licensed under this ordinance to sell or peddle alcoholic liquor, or for any licensee under this ordinance to make any contribution to any candidate for political office, or to any political party or measure;

17. It shall be unlawful for any licensee to sell alcoholic liquors to persons who habitually drink alcoholic liquor to excess;

18. No mash, wort or wash, fit for distillation or for the manufacture of spiritous alcoholic liquors shall be made, fermented or possessed within this city by any person who does not at the time own a distiller's license under this ordinance; provided, however, that nothing herein shall prevent possession of mash for the purpose of manufacturing wine or beer for home consumption as provided for in this ordinance.

19. No distillery shall be set up or operated in this city for the purpose of manufacturing alcoholic liquor for beverage purposes, nor to be used in the manufacture thereof, except by a person duly licensed under the provisions of this ordinance to operate a distillery. Any device or any process which separates alcoholic spirits from any fermented substance shall be regarded as a distillery. A distillery shall be regarded as set up when the still is in a position over a furnace or is connected with a boiler so that heat may be supplied, although the worm or worm tank is not in position. Any mash, wort, wash or distillery found in any house or on any premises, or within any inclosure, shall, in the case of the mash, wort or wash, be deemed prima facie to have been made and fermented by and in the case of a distillery, shall be deemed prima facie to have been set up by, and to be the property of the person who is in possession of such house, premises or inclosure;

20. In any prosecution for the sale of alcoholic liquor under this ordinance, it shall not be necessary to prove the exact variety or to mention the quantity of alcoholic liquor sold, except in the case where the variety or quantity are essential to establish the offense. As regards quantity, it shall be sufficient to allege the sale of a quantity, the sale of which quantity is unlawful;

21. In the event the United States Government shall provide any plan or method of liquor control or taxes upon alcoholic liquors, all persons licensed under the provisions of this ordinance shall comply with the laws of the United States Government respecting alcoholic liquors, or the rules and regulations of any bureau of the United States Government having in charge the administration of the liquor laws of the United States Government;

22. The advertising of the sale of liquors by window display of liquors containing over fourteen (14) per cent of alcohol by volume is prohibited. A sign on or in a window denoting the fact that such liquors may be purchased inthe premises is allowable.

Section 13. NUISANCES. Any rooming house, boat, structure, or place of any kind in the city where alcoholic liquor is sold, manufactured, bartered or given away in violation of this ordinance, or where persons are permitted to resort for the purpose of drinking alcoholic beverages, in violation of this ordinance, or any place where such beverages are kept for sale, barter or gift in violation of this ordinance, and all alcoholic liquor and all property kept and used in said place hereby are declared to be a common nuisance, and any person who maintains or assists in maintaining such common nuisance shall be guilty of a violation of this ordinance, and if it shall be proven that the owner of any building or premises knowingly has suffered the same to be used or occupied for the manufacture, sale or possession of alcoholic beverages, contrary to the provisions of this ordinance, such building or premises shall be subject to a lien for and may be sold to pay all fines and costs assessed against the occupant of such building or premises for any violation of this ordinance, and such lien shall be enforced immediately by civil action in any court having jurisdiction, by the City Attorney.

The Commission may instruct the City Attorney to commence such appropriate proceedings as is authorized by the laws of the State of Oregon to abate or to temporarily enjoin such nuisance.

Section 14. LIQUOR FOR SCIENTIFIC, MANUFACTURING OR SACRAMENTAL PURPOSES. This ordinance shall not be so construed as to prohibit the sale of pure alcohol for scientific or manufacturing purposes, or of wines to church officials for sacramental purposes, or of alcoholic stimulants where the same shall have been prescribed by a regularly practicing physician, dated and

signed by him, as hereinbefore provided; and provided further that this section shall not be construed so as to prevent any person residing in the city from ordering and having delivered to his home, for the personal use of himself and his family, alcoholic liquors purchased from persons duly licensed to sell the same under this ordinance, and no provision of this ordinance shall by reason only that such product contains alcoholic liquor prevent the sale of any perfume, lotion, tincture, varnish, dressing fluid, extracts, or acid, vinegar, or of any official medicinal or pharmaceutical preparations, or of any patent or proprietary medicine intended solely for medicinal purposes.

Section 15. PERSONAL PRIVILEGES, Before any individual shall have the right to purchase from any licensed dealer any intoxicating liquor containing 14% of alcohol by volume or more he shall first obtain a license therefor from the Recorder and pay the license fee as provided for in Section 7 hereof,

Section 16. LICENSED DEALERS PROHIBITED FROM SELLING: No individual shall purchase more than 5 quarts of hard liquor, or liquor containing 14 per cent of alcohol or more by volume, nor more than 5 gallon of wine of a greater percentage than 14% of alcohol by volume during any period of 30 days, and all licensed dealers are hereby prohibited from selling any such liquor to any such individuals and any violations of the provisions of this section shall subject the said dealer, and the individual purchaser, to the penalties provided for in this ordinance.

Section 17. OTHER ORDINANCE IN CONFLICT REPEALED. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 18. SPECIAL FUND CREATED. The Commission hereby declares that in so far as it may legally have power so to do, it is in the enactment of this ordinance and the administering thereof acting as the agent for and on behalf of the State of Oregon and the Oregon Liquor Control Commission, and that it is issuing the licenses herein required for an in the name of the State of Oregon. All moneys received from the issuance of licenses under the provisions of this ordinance shall be by the City Treasurer kept in a separate fund. In the event the Supreme Court of Oregon, or any other court of competent final jurisdiction, decrees that the constitution of the State of Oregon lodges in the City of Bend the exclusive power to license, regulate and control, and to suppress or prohibit the sale of alcoholic liquors therein, then all such license fees paid under the provisions of this ordinance shall belong to the City of Bend and be transferred by the Commission from such special fund to the general fund. In the event the Supreme Court of the State of Oregon, or any other court of competent final jurisdiction, shall decree that the State of Oregon is sovereign over municipalities in the matter of licensing, regulating or controlling the sale and manufacture of alcoholic liquors and/or that the Oregon Liquor Control Act mentioned in Section 1 of this ordinance is constitutional, then such license fees shall become the property of the State of Oregon, and be paid over to its commission, less any expense incurred by the city in the collection and keeping of said fees. Such expense shall be determined by the Commission and its determination shall be binding upon said commission, and in the event the Supreme Court of the State of Oregon, or any other court of final jurisdiction, declares unconstitutional, in whole or in part, said Oregon Liquor Control Act, or decrees that the City of Bend is wholly or partially in control of the power to license, regulate and control, or to suppress or prohibit the sale of alcoholic liquors, then this ordinance shall continue in full force and effect as the act of the city for the regulation and control of the manufacture and traffic of alcoholic liquors, and all licenses and license fees shall in such event be held to have been issued by the city under its own police power granted to it by its charter.

Section 19. NO REBATE ON SPECIAL PRIVILEGE LICENSE. In the event the State ofOregon, through its Oregon Liquor Control Commission, is decreed to be in full control of the licensing and regulating of alcoholic liquors in the city, the special privilege license fee of $50.00 provided for in paragraph 15 of Section 5 shall not be paid over to the State of Oregon, but shall remain in

any event the property of the City of Bend.

Section 20. PENALTY. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the Municipal Court, be punished by a fine not exceeding Five Hundred Dollars ($500.00), or by imprisonment in the city jail for a period not exceeding six (6) months, or by both such fine and imprisonment.

Section 21. EMERGENCY. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend, in this: It appearing to the Commission that the Oregon Liquor Control Act, now being in full force and effect in the State of Oregon, and therefore applicable to the City of Bend, but the Oregon Liquor Control Commission not being organized to put in full force and effect the administrative features of said act, and that the people of the City of Bend may lawfully purchase, have in possession, and consume alcoholic liquors under a lawful procedure, pending the exercise of the full jurisdiction and control of the state act, by and through the Oregon Liquor Commission, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Commission and approval by the Mayor.

Read for the first time Dec. 5 1933

Read for the second time Jan. 3, 1934

Yeas 3

Nays 0

Put upon its passage January 3, 1934.

ATTEST:

E M Reynolds
Recorder.

Submitted to and approved by the Mayor this 3rd day of January, 1934.

J F Horner
Mayor.