

ORD - 265-579

An ordinance providing for the regulation, parking and location of automobile house trailers used for living purposes; for the licensing and regulation of automobile trailer-house camps and parking places, providing a penalty for the violation thereof repealing Ordinance N. S. 305 and declaring an emergency.

Section 1: Definitions:

(A) "Automobile house trailer, or trailers" shall be defined to be any vehicle used as sleeping quarters mounted on wheels and propelled by its own power or by other power-driven vehicle to which it may be attached. For brevity an automobile trailer-house may be referred to as a trailer.

(B) "Automobile trailer-house camps" shall be understood to be any trailer parking place, camp-site, lot, parcel or tract of land used for the purpose of supplying a location or accommodations for one (1) or more trailers and upon which any trailers are parked and used as living quarters including any buildings or equipment, whether a charge is made, or not, for the facilities.

(C) "A unit" means a tract of ground in a trailer camp of not less than 600 square feet of space in an area designated as the location for only one automobile and one trailer.

(D) "The word "person" shall be construed to mean persons, partnerships, firm, company, corporation, tenant, owner, lessee, or licensee, and agents or assigns.

Section 2: License and permits required for automobile house-trailer camps, or trailers parked on private or public land:

(A) No automobile trailer-house camp shall be established or maintained within the limits of the City of Bend unless a license has been obtained from the City Recorder after application therefore has been approved by the City Commission.

(B) No license shall be issued for a location within the fire limits.

(C) No automobile trailer-house shall be parked on any private or public owned land for more than four (4) hours without having obtained a permit from the City Recorder after the approval by the Chief of Police.

(D) The fees to be paid for license of a trailer camp as herein defined shall be at the rate of \$2.50 per trailer per year up to and including ten (10) trailers or \$25.00 per year for any camp over ten (10) trailers. The basis for license shall be the rated capacity of the spaces and facilities. Any license may be transferred upon approval by the City Commission and upon payment of a transfer fee amounting to 40% of the license fee involved.

(E) A permit fee of \$2.50 shall be paid at the time of approval for parking a trailer on private or public owned land and shall cover the allowable period.

(F) Any failure on the part of a licensee to maintain orderly, safe and sanitary conditions shall be considered as grounds for revocation of a license or permit, by the City Commission.

Section 3: Information to be furnished by applicant:

Every application for the establishment of a trailer camp-site shall submit to the Recorder of the City of Bend an application and a plan showing the location and arrangement of the camp and shall give full information relative to the facilities that are to be supplied, showing the location and character of construction of buildings, arrangement of driveways, arrangement of sanitation, lighting, fire protection, etc. If it appears to the City Commission that the fire protection and sanitary arrangements are adequate and that the establishment of the camp will not be a detriment to the neighborhood or to the City as a whole, the Commission may approve the issuance of a license.

Index:

trailer houses
 ✓ *camp*
 ✓ *lic. or permits*

Section 4: Arrangement of trailer camp:

(A) There shall be a suitable drive-way affording access to and egress from each unit; a suitable system of lighting shall be provided and such lighting shall be maintained from dark to dawn when the camp is open to be used by the public.

(B) Each unit shall have not less than 600 square feet and the boundaries thereof shall be plainly marked.

(C) Sinks, lavatories, water closets, laundry trays, etc. provided for the occupants of trailers shall be kept in a sanitary condition and properly lighted at night. There shall be at least one toilet for each sex for each ten (10) trailer camp capacity, and one (1) urinal for each twenty (20) trailer camp capacity; there shall be at least one bath tub or shower for each twenty (20) trailers, and one (1) slop sink for each ten (10) trailers. These facilities must be within 250 feet of any trailer. There shall be at least one garbage can within 100 feet of any trailer. No waste water shall be thrown on the ground. Pure drinking water must be furnished and no common drinking vessels are to be used.

(D) All facilities shall be governed by and fully comply with other ordinances of the City of Bend and the laws of the State of Oregon with reference to building sanitation, wiring, plumbing, fire hazards, etc.

Section 5: Management and registration book for trailer camp:

(A) Every camp shall have a registration book and the names, occupation, and address of all members of the trailer party shall be entered therein by a member of the party, together with information relative to the make and year of manufacture and license number of the trailer and the propelling vehicle. The registration book shall show the date of arrival and departure of every trailer and the trailer unit occupied; also the place of last location and length of stay. This registration book shall be available for the inspection of officer or employees of the City, County, State, or Federal Government, upon request.

(B) The manager of a camp shall report without delay to the health department any illness of any member of the trailer party; whether such illness appears to be of a contagious nature or not.

(C) Dogs, cats, or other animals or pets shall be prevented from running at large.

Section 6: Limitation of stay in trailer camp:

It shall be unlawful for any person to remain in any trailer camp for more than 90 days in each 12 month period, except that upon a showing and proof that one or more occupants of the trailer are engaged in vital national defense work and that there exists in the community a shortage of adequate housing facilities, in which event the City Commission may grant additional time in which the said person may remain in said trailer camp. This time limitation shall not apply to the licensee of the trailer camp or his bonifide employee.

Section 7: Trailers except in trailer camps:

(A) Those in charge of automobile trailers shall observe the parking regulations of the City. Outside of regulated districts, they shall not park on streets or highways for a longer period than four (4) hours and then the trailer shall not be used for cooking or sleeping purposes.

(B) Trailers shall not be used by a number of persons greater than the designated capacity.

(C) When a person desires to park a trailer on a tract of land occupied by a residence, the written permission of the owner must be first obtained together with a permit from the recorder of the City of Bend. The trailer must be parked on the rear of the lot and if the trailer is to be used as living quarters, it must be maintained in an orderly, safe and sanitary condition.

(D) Provided a permit is issued, trailers may be parked on private or public land for a period of 90 days in any 12 months, except, that upon a showing, and proof, that one or more occupants of the trailer are engaged in vital national defense work and that there exists in the community a shortage of adequate housing facilities, in which event the City Commission may grant additional time in which the said person may remain in said location

(E) Trailers may park at a tourist camp when a tourist cabin and not the trailer is occupied as living quarters.

Section 8: Adoption of State Law:

It shall be unlawful for any person to maintain a parked house trailer in violation of any of the laws of the State of Oregon now in existence or hereafter enacted, and any and all laws of the State of Oregon pertaining to trailer-house camps and any and all sanitary conditions as well as laws regulating fire hazards are hereby adopted as a portion of this ordinance and made a part hereof wherever applicable.

Section 9: Revocation and Suspension:

Any license or permit granted hereunder may be revoked or suspended by the City Commission for any violation of the provisions of this ordinance.

Section 10: Penalty:

Any person found guilty of violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and may be fined not less than \$5.00 and not more than \$500.00, or imprisoned in the City Jail for not more than 30 days, or by both such fine and imprisonment, and every day such violation exists shall constitute a separate offense and shall be punished as such hereunder.

Section 11: Validity of Ordinance:

If any part of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts which are not held void or unconstitutional shall continue in full force and effect.

Section 12: That Ordinance N.S. 305 be and the same hereby is repealed.

Section 13: Emergency:

In as much as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the citizens of the City of Bend and all residents therein, in this that in order to maintain proper sanitary conditions and eliminate fire hazards and other risks incidental and surrounding trailer house locations, it is necessary 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 December 2, 1942.

Read for the second time December 16, 1942.

Put upon its passage December 16, 1942.

Yeas, 3

Nays, 0

Submitted to and approved by the Mayor this 16th day of December, 1942.

ATTEST:

George Dimerville
Recorder of the City of Bend

W. H. Simpson
Mayor

Bus - Sec 8

307

ORDINANCE NO. N.S. 307

An ordinance to amend Section 3 of Article XII of Ordinance N. S. 288, being an ordinance regulating private business and providing a penalty for the violation thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 3 of Article XII of Ordinance N.S.288 be, and the same hereby is amended to read as follows:

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, or sticker, and which metal tag, or sticker, must at all times be displayed upon the vehicle for which said license has been issued, and not otherwise. In case a sticker is issued, it shall be placed on the windshield.

Section 4. In as much as the City of Bend, at this time, has no provision for the issuance of a sticker, in said ordinance, and due to the fact that metal tags are not available as already provided for, and operators of vehicles will be making application for licenses early after the first of the new year, an emergency is, therefore, hereby declared to exist, for the purpose of preserving the peace, health and safety of the citizens 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 January 2, 1943.
Read for the second time January 20, 1943.
Put upon its passage January 20, 1943.

Yeas 3.
Nays 0.

Submitted to and approved by the Mayor this 20th day of January, 1943.

ATTEST:

George Limerick
Recorder of the City of Bend.

P. L. Simpson
Mayor

Copy

ORDINANCE NO. N.S. 307

An ordinance to amend Section 3 of Article XII of Ordinance N. S. 288, being an ordinance regulating private business and providing a penalty for the violation thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 3 of Article XII of Ordinance N.S.288 be, and the same hereby is amended to read as follows:

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, or sticker, and which metal tag, or sticker, must at all times be displayed upon the vehicle for which said license has been issued, and not otherwise. In case a sticker is issued, it shall be placed on the windshield.

Section 4. In as much as the City of Bend, at this time, has no provision for the issuance of a sticker, in said ordinance, and due to the fact that metal tags are not available as already provided for, and operators of vehicles will be making application for licenses early after the first of the new year, an emergency is, therefore, hereby declared to exist, for the purpose of preserving the peace, health and safety of the citizens 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 January 2, 1943.
Read for the second time January 20, 1943.
Put upon its passage January 20, 1943.

Yeas 3.
Nays 0.

Submitted to and approved by the Mayor this 20th day of January, 1943.

F. S. Simpson
Mayor

ATTEST:

Recorder of the City of Bend.

George Simerville

dup sheet

*index { Vehicle license TAG
License vehicle TAG*

*Section index
General index for all sections
topic index*

Copy

1- Sec 3, XII - 6 (NS 307-8-109)

Police-Sec. 3

308

ORDINANCE NO. N.S. 308

An ordinance specifying the hours of night after which it shall be unlawful for children to be on the public thoroughfares 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, and repealing ordinance N.S.128.

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 ten 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 11:00 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 the City of Bend 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 or taken home by the officer and its parents or legal guardian served with a subpoena to appear in court with the child so arrested and show cause why this ordinance has again been 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 violating 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.

Section 6. That ordinance N.S.128 be and the same hereby is repealed.

Read for the first time January 6, 1943
Read for the second time January 20, 1943.
Put upon its passage January 20, 1943

Yeas 3
Nays 0

Submitted to and approved by the Mayor this 20th day of January, 1943.

ATTEST:

George Dimerville
Recorder of the City of Bend

K. S. Simpson
Mayor

resp sheet
change 8-104
8-203

ORDINANCE N. S. 309

An Ordinance to amend Section 1 of Article 19 of Ordinance N. S. 288, the same being an ordinance regulating private business and licensing the same providing for a penalty for the violation thereof, and, declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Article 19 of Ordinance N. S. 288, be and the same hereby is amended to read as follows:

Section 1. The fees for all licenses as provided for by this ordinance shall be as follows:

Fortune Tellers, per day.....	\$ 100.00
Astrologers, etc., per day.....	100.00
Auctioneers, general, per day.....	5.00
Auctioneers, special, per day.....	25.00
Billard, card or poolrooms, per quarter or fraction thereof (First Table).....	20.00
Cardrooms, per quarter or fraction thereof for each table over one.....	5.00
Pool, billard, or Pinochle per table (Over one) per quarter or fraction thereof.....	2.50
Bowling alleys, for each alley, per quarter or fraction thereof.....	4.00
Carnivals, per day.....	150.00
Circus, each performance.....	150.00
Food establishments, per year.....	10.00
Garbage trucks, per quarter or fraction thereof.....	10.00
Hawkers, class 1, per day or fraction thereof.....	4.00
Hawkers, class 2, per day or fraction thereof.....	3.00
Hotels, lodging houses, 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
Junk dealers, per year or fraction thereof.....	40.00
Lodging houses, <u>see</u> hotels	
Milk dealers, per year:	
Distributing less than 25 quarts per day.....	1.00
" 25 to 50 quarts per day.....	3.00
" 50 to 100 " " ".....	5.00
" 100 to 300 " " ".....	8.00
" 300 to 500 " " ".....	12.00
" 500 to 700 " " ".....	25.00
" 700 to 900 " " ".....	37.50
" 900 quarts upwards, per day.....	50.00
Moving picture shows, per seat per quarter or fraction thereof.....	.04
Operatic and dramatic shows, per day.....	20.00
Peddlers, per day or fraction thereof:	
Class 1.....	3.00
Class 2.....	5.00

Class 3.....	7.50
Class 4.....	10.00
Class 5.....	15.00
Rooming houses, <u>see</u> hotels:	
Second-hand dealers, per year or fraction thereof...	20.00
Taxi with street stand.....	25.00
Taxi without street stand.....	15.00
Transient merchants, per month or fraction thereof..	200.00
Transfer vehicles, per year or fraction thereof.....	15.00
Vehicles for hire, per year or fraction thereof.....	10.00
Wood saws, per annum.....	25.00

Section 2. That, whereas, the license fees as heretofore established on some of the various industries located in the City of Bend, Oregon, should be increased, due to the fact that the cost of maintaining the City Government is greater at this time than when the previous license fees were established, and other revenues must be obtained for the purpose of helping to defray such added expense and that some of the license fees as heretofore established are not commensurate with other fees and established licenses, and certain fees and licenses should be changed, and 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 April 1, 1943, said license fees should be effective as established herein, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect on April 1, 1943, when concurred in by all of the City Commissioners of the City of Bend and approved by the Mayor.

Read for the first time March 17, 1943.

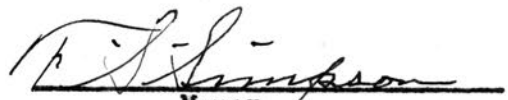
Read for the second time April 7th, 1943.

Put upon its passage April 7th, 1943.

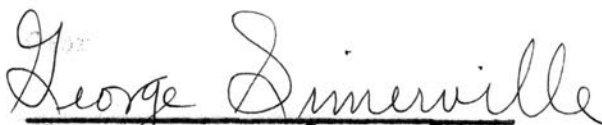
Yeas 3

Nays 0

Submitted to and approved by the Mayor this 7th day of April, 1943.


 Mayor

ATTEST:


 Recorder of the City of Bend

ORDINANCE NO. ~~NS~~310

AN ORDINANCE REGULATING THE REGISTRY OF DOGS: PROVIDING FOR THE TAKING UP, IMPOUNDING, AND KILLING OF DOGS NOT PROPERLY LICENSED: PROVIDING FOR THE LICENSING OF ALL DOGS; 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; PROVIDING FOR A PENALTY FOR THE VIOLATION HEREOF; AND DECLARING AN EMERGENCY, AND REPEALING ORDINANCE NO. NS282.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

*Repealed by:
NS-1125*

Section 1. Within the corporate limits of the city of Bend 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, to permit such dog to run at large unless attached to such dog is a collar on which is a tag with an appropriate number, to be obtained from or through the county clerk of Deschutes County, Oregon, or from 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 April 1st to August 31st, 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 enforce diligently 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 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. If such dog shall not be redeemed as hereinafter provided within five days after the impounding thereof, it shall be the duty of the chief of police, or deputy pound master to sell the dog, or cause it to be sold, or to kill the dog or cause it to be killed, and to have it 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 is not reclaimed by the owner thereof within five days, such dog shall be offered for sale by the officer having such dog in charge. If no bid is made for the dog at such sale, the dog shall be killed and buried. If it is sold, the proceeds of such sale shall be paid to the city treasurer, who shall deposit such proceeds 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, 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 the owner of an impounded dog has purchased a tag and attached the same to a collar and the same has been lost or stolen, on proof of such purchase, the dog shall be released and 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 the owner is ascertained, the pound master shall thereupon notify him of the impounding of the dog. In case any impounded dog shall not be claimed by any person within two days after receipt of notice of 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 five days after the impounding of said dog, sell it at a public auction to satisfy the costs

and expenses of impounding and keeping said dog. Before any such dog is sold or destroyed, as hereinbefore provided for, the pound master shall give notice of intent to sell or destroy by at least one publication in a newspaper published in the city of Bend, at least three days before such sale, or killing. The notice shall contain a brief description of the animal; provided, however, that a reasonably ~~accurate~~ description of the dog will be sufficient.

Section 4. The above-mentioned tag to be attached to the collar of the dog 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. The fee or charges to be collected annually from the owner shall be in a sum not greater than \$2 for each male or each spayed bitch dog, and not greater than \$3 for each female dog over the age of eight months. Such fees and charges shall be 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 obey forthwith 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 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 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 any 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. 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, upon conviction thereof, shall be punished by a fine of not more than \$50, or by imprisonment in the city jail for not more than twenty days, or by both such fine and imprisonment.

Read for the first time June 2, 1943
 Read for the second time June 16, 1943
 Put upon its passage June 16, 1943
 Yeas: 3
 Nays: 0

Submitted to and approved by the mayor this 16th day of June, 1943.



 Mayor

Attest:



 Recorder

ORDINANCE N. N. S. 311

AN ORDINANCE REGULATING AND LICENSING NOVELTY MACHINES AND OTHER DEVICES AND GAMES OPERATED AS AMUSEMENT GAMES ONLY, PROVIDING A PENALTY FOR THE VIOLATION HEREOF, DECLARING AN EMERGENCY, AND REPEALING ORDINANCE N. S. 289.

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, and which the city commission may authorize to be operated by issuing a license therefor 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, games or machines, including Pin Ball Machines, described in section 2 hereof shall pay a license fee of \$10.00 per month, payable monthly in advance, and any license fee so paid shall not be refunded.

Any licensee of a device or apparatus described in section 3 hereof shall pay a license fee of \$20.00 per month, payable monthly in advance, except license fees for music boxes, gun machines and picture machines shall pay a license fee of \$2.50 per month, payable quarter-annually in advance, and any license fee so paid shall not be refunded.

Section 5. 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 therefor to the recorder of the city of Bend, describing the machine, apparatus or device to be licensed, and 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 therefor. If the said application is disapproved by the city commission, the license fee accompanying said application shall be returned to the applicant.

Section 6. It shall be unlawful to operate any of the games, devices, or apparatus hereinbefore described unless a license has been issued therefor.

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.

Section 8. It shall be unlawful for any person to suffer, allow, or permit any individual under the age of twenty-one 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 violate 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 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 ordinance N. S. 289, be and the same hereby is repealed.

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 numerous other devices, apparatus and machines the description of which have not been included in previous ordinances, and that said machines should be regulated, and licensed, therefore, an emergency is 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 June 2, 1943.

Read for the second time June 16, 1943.

Put upon its passage June 16, 1943.

Yeas: 3

Nays: 0

Submitted to and approved by the Mayor this 16th day of June, 1943.


Mayor

ATTEST:


Recorder

ORDINANCE N. S. NO. 312

An ordinance to amend Section 21 of Ordinance N. S. 266, being an Ordinance defining Disorderly Conduct and providing a penalty for the violation thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 21 of Ordinance N. S. 266, be and the same hereby is amended to read as follows:

Section 21. 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, or to swim in the Deschutes River, within the limits of the City of Bend from any public park or public property, except at the designated pool bordering Harmon Play Field.

Section 25. 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, it has been the practice of swimmers to swim and dive from the bridges of the City of Bend, and to swim from the various parks and public grounds where swimming conditions are dangerous, therefore an emergency is 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 June 16th, 1943.
Read for the second time July 7th, 1943.
Put upon its passage July 7th, 1943.

Yeas 3.


Nays 0.

Submitted to and approved by the Mayor this 7th day of July, 1943.



Mayor

ATTEST:



Recorder of the City of Bend.

ORDINANCE N. S. NO. 313

An ordinance to amend Section 21 of Ordinance N. S. 266 as amended by Ordinance N. S. 312, being an ordinance defining Disorderly Conduct and providing a penalty for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 21 of Ordinance N. S. 266 as amended by Section 21 of Ordinance 312 be and the same hereby is amended to read as follows:

SECTION 21: 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, or to swim in the Deschutes River, within the corporate limits of the City of Bend.

SECTION 26: That Ordinance N. S. 312 be and the same hereby is repealed.

Read for the first time September 1, 1943.
Read for the second time September 15, 1943.
Put upon its passage September 15, 1943.

Yeas 3.

Nays 0.

Submitted to and approved by the Mayor this 15th day of September, 1943.

H. S. Simpson
Mayor

ATTEST:

George Limerick
Recorder of the City of Bend

ORDINANCE N. S. No. 314

An ordinance amending Section 16 of Ordinance N. S. No. 197, being an ordinance 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 thereof; repealing all ordinances and parts of ordinances in conflict therewith and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 16 of Ordinance N. S. No. 197 be and the same hereby is amended to read as follows:

Section 16. PENALTIES. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the municipal court, be punished by fine of not to exceed \$1,000.00 or by imprisonment in the city jail or some other jail for a period not exceeding six months, or by both such fine and imprisonment.

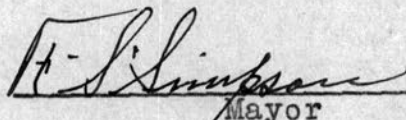
Section 19. EMERGENCY CLAUSE. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend in this:

Violations of this ordinance are apparent inasmuch as arrests have been made hereunder, and due to the fact that alcoholic liquor is now being rationed, other violations will probably occur and the present ordinance does not provide sufficient penalty for such violations and that proper penalty shall be administered to those convicted under 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 September 1, 1943.
Read for the second time September 15, 1943.
Put upon its passage September 15, 1943.

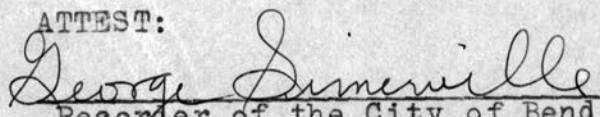
Yeas - 3
Nays - 0

Submitted to and approved by the Mayor this 15th day of September, 1943.



Mayor

ATTEST:


Recorder of the City of Bend

An Ordinance to Stabilize the Cost of Shelter in the City of Bend, to Protect the Health of it's Citizens, and to Provide Penalties for the Violation Thereof, and declaring an emergency.

WHEREAS the 77th United States Congress, second session, Acts of January 30, 1942 and October 2, 1942, declared it to be in the interest of the national defense and security, and necessary to the effective prosecution of the present war that speculative, unwarranted, and abnormal increases in rents be prevented; and

WHEREAS the Office of Price Administration has been set up to administer the provisions of said act; and

WHEREAS if the Office of Price Administration established a rent control area in Bend, all rentals would be frozen at the prices charged on March 1, 1942, and a severe hardship would be worked on all of the property owners in the City of Bend and many would be forced to operate their properties at an actual loss; and

WHEREAS the said Office of Price Administration has signified its unwillingness to set up a rent control area in Bend if the matter can be controlled locally; and

WHEREAS due to bidding by military and civilian personnel seeking housing accommodations in Bend, rentals for such accommodations are reaching a point greatly in excess of actual rental values, and many citizens engaged in critical occupations connected with the war effort are being forced to leave their jobs; and

WHEREAS ARTICLE "H", Section 6, Charter of the City of Bend authorizes it to license, tax and regulate all such callings, trades, professions, or employments as in the opinion of the Commission, the public health or good may require to be licensed, taxed, or regulated.

NOW THEREFORE THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Necessity. That it is urgently necessary for the maintenance of adequate living space at a reasonable price, and for the effective prosecution of the war effort, and for the protection of the health of persons engaged therein, that rentals, occupancies, and evictions be regulated.

Section 2. Definitions:

"Person" includes an individual, corporation, partnership, association, syndicate, or any other organized group of persons, or legal successor or representative of any of the foregoing.

"Housing Accommodation or Rooms" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, hotels, rooming or boarding house accommodations or rooms, and other properties used for living or dwelling purposes, together with all priveleges, services, furnishings, furniture, equipment, facilities, and improvements connected with the use or occupancy of such property; including also rooms in private homes, ground rented as space for a trailer, motor courts, or motels.

"Service" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and priveleges, maid service, linen service, janitor service, the removal of garbage, and any other privelege or facility connected with the use or occupancy of a room or housing accommodation.

"Landlord" includes an owner, lessor, sublessor, assignee, agent, or other person receiving or entitled to receive rent for the use of, or occupancy of any housing accommodation or room.

"Tenant" includes a subtenant, lessee, sublessee, or any other person entitled to possession or the use or occupancy of, any housing accommodation or room.

"Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for the use or occupancy of any housing accommodation or room, or for the transfer of the lease of such premises.

"Term of Occupancy" means occupancy on a daily, weekly, or monthly basis.

Section 3. Maximum rents. Maximum rents shall be:

a. For housing accommodations or rooms rented on January 1, 1943, the rent for such accommodations on that date.

b. For housing accommodations or rooms not rented on January 1, 1943, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two month period.

c. For housing accommodations or rooms not rented on January 1, 1943, nor during the two months ending on that date, or for housing accommodations or rooms rented for a definite term or a definite number of occupancies, for which no maximum rent is established under subsections (a) and (b) of this section, the rent shall be such rent as was charged for similar accommodations on January 1, 1943.

d. For a room with which meals were provided on January 1, 1943 without separate charge, therefor it shall be the duty of the landlord to segregate the charge made for room and for meals, and the maximum rent for such room shall be in accordance with previous subsections of this section.

Section 4. Adjustment of Rents.

a. Immediately following the passage of this ordinance the City Commission shall appoint a Fair Rent Committee consisting of five members who shall serve without compensation, one of whom shall be designated as chairman of said Committee.

b. Immediately following its appointment the said Fair Rent Committee shall meet and shall appoint an Executive Secretary who may or may not be a member of the Committee.

c. The Fair Rent Committee shall require all housing accommodations or rooms offered for rent to be registered in the office of the Executive Secretary of said Fair Rent Committee. Said registration shall state the type of housing accommodation or rooms, the rental charged on January 1, 1943, if rented on that date, and the rental now being charged.

d. The said Fair Rent Committee is hereby authorized upon proper application, to make adjustment of any rental charged on January 1, 1943, which may appear to it, upon investigation, to be either too high or too low in proportion to rentals generally charged for similar accommodations on that date, and such rental when so fixed by the Fair Rent Committee, shall be the maximum rental for that property.

e. Any person seeking to adjust the maximum rent shall make application in writing to the Executive Secretary of said Fair Rent Committee, on forms to be provided and shall pay a fee of \$1.00. Said application shall list all parties who would be affected by any adjustment, whether such parties be landlords or tenants. As soon as convenient after receipt of such application the chairman of the Fair Rent Committee shall set a date for hearing and the Executive Secretary of such Committee shall notify all persons so listed of such hearing. It shall be the duty of the Executive Secretary of said Fair Rent Committee to report and remit to the Recorder of the City of Bend, on or before, the tenth of each month, all fees collected during the preceding month. Such funds shall be held by the Treasurer of the City of Bend in a special fund to be used for the purpose of printing forms and for miscellaneous expenses pertaining to the enforcement of this ordinance. Any money remaining in the fund after this ordinance is automatically repealed, or upon its repeal by the City Commission, shall revert to the general fund of the said City of Bend.

f. The Fair Rent Committee shall establish and promulgate rules relative to the receiving, hearing, and disposition of such applications, and the findings of said Fair Rent Committee, after hearing shall be conclusive as to questions of both law and fact; PROVIDED that in not less than 60 days after such findings are filed in the office of the City Recorder, either party may reinstitute proceedings for the adjustment of rents on the same housing accommodations; PROVIDED FURTHER that any party considering himself aggrieved by such findings of the Fair Rent Committee shall have the opportunity for appeal from the judgement of said Committee to the Municipal Court of said City of Bend, and upon the making of such appeal shall pay the customary fee of said Court.

g. In the event of appeal to said Municipal Court, the Municipal Judge is hereby authorized to call in, as rent referees, any citizen of the City of Bend whom he deems a competent judge of rental values, and any expenses involved therein shall be borne by the party making such appeal; PROVIDED that any party not satisfied with the findings of said Bend Municipal Court shall have the privilege of appeal to other courts as provided in the Charter of the City of Bend, and by the general laws of the State of Oregon.

Section 5. Investigations of Applications.

a. Applications shall be investigated by not less than two members of said Fair Rent Committee. Such investigators shall have a right to enter the housing accommodations or rooms involved for the purpose of such investigation. No landlord tenant, or other person shall prevent, or fail to permit entrance for such purpose.

b. No person directly, or by agent, shall by work or writing, make any false representation or statement of fact concerning housing accommodations and rents received therefor, nor concerning any other relevant matter upon which information is requested or received by the investigating committee.

Section 6. Grounds for adjustment. The Committee may adjust maximum rents on the grounds that:

a. The maximum rent for the housing accommodation or room is higher or lower than the rent generally prevailing in the City of Bend on January 1, 1943, for comparable housing accommodations or rooms.

b. There has been a substantial deterioration of the housing accommodations or rooms other than ordinary wear and tear since January 1, 1943.

c. There has been a substantial betterment of the housing accommodation by a major capital improvement as distinguished as from ordinary repair, replacement, and maintenance.

d. There has been a substantial increase or decrease in the services, furniture, furnishings, or equipment provided with the housing accommodations or rooms since January 1, 1943.

e. The rent on January 1, 1943 was materially effected by the blood, personal, or other special relationship between the landlord and the tenant, and as a result was substantially higher or lower than the rent generally prevailing on January 1, 1943, for comparable housing accommodations or rooms.

f. The rent on January 1, 1943 was established by a lease or other agreement which provided for a substantially higher or lower rent at other periods during the term of such lease or agreement.

g. There had been an increase or decrease in the number of persons using the housing accommodations or rooms as compared to January 1, 1943.

h. The housing accommodations or rooms were occupied by the owner or landlord on January 1, 1943.

Section 7. Eviction. Any action for eviction of tenant shall be in accordance with the general laws of the State of Oregon.

Section 8. Harrassing of Tenants. No landlord, directly or indirectly, by acts of omission or commission, including by way of illustration but not in exclusion, the reduction of services, curtailment or shutting off of heat or hot water, creation of noise, curtailment or shutting off of utilities, limitation of ingress or egress, and other acts designed to annoy, disturb, inconvenience, molest, or intimidate any tenant which shall seek to decrease a tenant's peaceable enjoyment of his housing accommodations, or to encourage or compel a tenant to move from such housing accommodations, or to increase the rent in any manner other than herein provided.

Any tenant may make the commission or non-commission of the acts above described a basis for application for reduction of rental pursuant to Section 6 of this ordinance.

The existence of a condition dangerous to health because of such acts may be summarily abated by the City of Bend, and the cost of such abatement may be recovered against the landlord in an action at law or by assessment against the property involved. Curtailment or reductions by reason of rationing requirements are excepted from the above.

Section 9. Each section, subsection, paragraph, and provision of this ordinance is deemed to be separate and independent, and invalidation by any court of any such part shall not invalidate any other portion.

Section 10. Any person deemed guilty of violating any of the provisions of this ordinance by the Fair Rent Committee, shall be cited to the Municipal Judge of the Bend Municipal Court, and if convicted, by said Municipal Court shall be punished by fine not exceeding \$100.00, or by imprisonment in the city jail not exceeding 90 days, or by both such fine and imprisonment in the discretion of the Court.

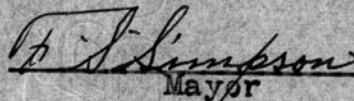
Section 11. The provisions of this ordinance being incidental to the prosecution of the national war effort shall terminate 90 days after the cessation of hostilities involving the armed forces of the United Nations, or this ordinance may be previously terminated by appropriate action of the City Commission.

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, and the citizens thereof, in this: That in many instances rentals have been raised to an unreasonable figure and tenants are being disturbed thereby together with other means adopted by landlords, therefore an emergency is 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.

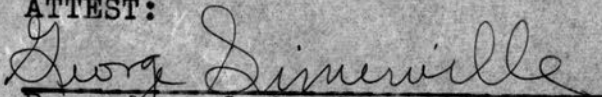
Read for the first time September 1, 1943.
Read for the second time September 15, 1943.
Put upon its passage September 15, 1943.

Yeas 3
Nays 0

Submitted to and approved by the Mayor this 15th day of September, 1943.


Mayor

ATTEST:


Recorder of the City of Bend.

ORDINANCE N. S. 316

An ordinance to amend Section 4 of Ordinance N. S. 311, being an ordinance regulating and licensing novelty machines and other devices and games operated as amusement games only; providing a penalty for the violation thereof; and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 4 of Ordinance N. S. 311 be, and the same hereby is, amended to read as follows:

Section 4. The following license fees shall be charged to-wit:

Music Boxes.....	\$ 5.00	per month, payable quarterly in advance.
Pin Ball Machines.....	25.00	per month, payable monthly in advance.
Gun Machines and Picture Machines.....	2.50	per month, payable quarter-annually in advance.

Any licensee of a device or apparatus described in Sections 2 or 3 hereof shall pay a license fee of \$20.00 per month, payable monthly in advance. Any license fees paid under this ordinance shall not be refunded.

Section 13. 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 some of the devices, apparatus and machines described in this ordinance are inadequately licensed and that this section is ambiguous, an emergency is, therefore, 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 September 15, 1943.
Read for the second time September 27, 1943.
Put upon its passage September 27, 1943.

Yeas - 3.
Nays - 0.

Submitted to and approved by the Mayor this 27th day of September, 1943.

ATTEST:

George Dummerille
Recorder of the City of Bend

W. H. Simpson
Mayor

ORDINANCE N. S. 317

An Ordinance to amend Section 1 of Article 19 of Ordinance N. S. 288 as amended by Ordinance N. S. 309, the same being an ordinance regulating private business and licensing the same; providing for a penalty for the violation thereof, and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 1 of Article 19 of Ordinance N. S. 288 as amended by Ordinance N. S. 309, be and the same hereby is amended to read as follows:

Section 1. The fees for all licenses as provided for by this ordinance shall be as follows:

Fortune Tellers, per day.....	\$ 100.00
Astrologers, etc., per day.....	100.00
Auctioneers, general, per day.....	5.00
Auctioneers, special, per day.....	25.00
Billard, card or poolrooms, per quarter or fraction thereof (First Table).....	20.00
Cardrooms, per quarter or fraction thereof for each table over one.....	5.00
Pool, billard, or Pinochle per table (Over one) per quarter or fraction thereof...	2.50
Bowling alleys, for each alley, per quarter or fraction thereof.....	6.00
Carnivals, per day.....	150.00
Circus, each performance.....	150.00
Food establishments, per year.....	10.00
Garbage trucks, per quarter or fraction thereof.....	10.00
Hawkers, class 1, per day or fraction thereof..	4.00
Hawkers, class 2, per day or fraction thereof..	3.00
Hotels, lodging houses, 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
Junk dealers, per year or fraction thereof.....	40.00
Lodging houses, <u>see</u> hotels	
Milk dealers, per year:	
Distributing less than 25 quarts per day.	1.00
" 25 to 50 quarts per day.....	3.00
" 50 to 100 " " "	5.00
" 100 to 300 " " "	8.00
" 300 to 500 " " "	12.00
" 500 to 700 " " "	25.00
" 700 to 900 " " "	37.50
" 900 quarts upwards, per day..	50.00
Moving picture shows, per seat per quarter or fraction thereof.....	.05
Operatic and dramatic shows, per day.....	20.00
Peddlers, per day or fraction thereof:	
Class 1.....	3.00
Class 2.....	5.00

Class 3.....	7.50
Class 4.....	10.00
Class 5.....	15.00
Rooming houses, <u>see</u> hotels:	
Second-hand dealers, per year or fraction thereof.....	20.00
Taxi, with street stand.....	25.00
Taxi, without street stand.....	15.00
Transient merchants, per month or fraction thereof.....	200.00
Transfer vehicles, per year or fraction thereof.....	15.00
Vehicles for hire, per year or fraction thereof.....	10.00
Wood saws, per annum.....	25.00
Skating Rink, per quarter.....	15.00

Section 2. That, whereas, the license fees as heretofore established on some of the various industries located in the City of Bend, Oregon, should be increased, due to the fact that the cost of maintaining the City Government is greater at this time than when the previous license fees were established, and other revenues must be obtained for the purpose of helping to defray such added expense and that some of the license fees as heretofore established are not commensurate with other fees and established licenses, and certain fees and licenses should be changed, and 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 October 1, 1943, said license fees should be effective as established herein, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect on October 1, 1943, when concurred in by all of the City Commissioners of the City of Bend and approved by the Mayor.

Read for the first time September 15, 1943.
 Read for the second time September 27, 1943.
 Put upon its passage September 27, 1943.

Yeas - 3
 Nays - 0

Submitted to and approved by the Mayor this 27th day of September, 1943.

ATTEST:

George Dummerille
 Recorder of the City of Bend

R. D. Simpson
 Mayor

ORDINANCE NO. N. S. 318

An ordinance vacating all that part of the alley in Block 15 of River Terrace, according to plat, from Portland Avenue south for a distance of 148 feet, and also all that part of West 4th Street from Portland Avenue south for a distance of 260 feet.

WHEREAS, Jansen Builders, Inc., a corporation, is now the owner of Lots 1, 2, 3, 4, 5, 20, 21 and 22 in Block 15, and Lots 18, 19, 20, 21 and 22 in Block 14, all in River Terrace, according to the official plat thereof, filed in the office of the County Clerk of Deschutes County, Oregon, and

WHEREAS, a portion of said property is having constructed upon it, by its owner, certain buildings as a housing project, 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 all that part of the alley in Block 15 of River Terrace, according to plat, from Portland Avenue south for a distance of 148 feet, and also all that part of West 4th Street from Portland Avenue south for a distance of 260 feet should be vacated, and

WHEREAS, under authority of Section 95-1336 O.C.L.A. 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 by resolution, duly adopted September 15, 1943, proposed to vacate the heretofore described portion of said alley and street, 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 the said resolution and proposed vacation on Friday, the 15th day of October, 1943, at 8 o'clock in the afternoon in the Commission Chambers in the City Hall in Bend, Oregon, at which time any objection 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 or the proposed vacation having been filed, now, therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

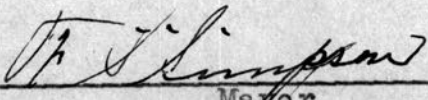
Section 1. That all that part of the alley in Block 15 of River Terrace, according to plat, from Portland Avenue

south for a distance of 148 feet, and also all that part of West 4th Street from Portland Avenue south for a distance of 260 feet, be, and the same hereby is, vacated.

Read for the first time October 15, 1943.
Read for the second time October 26, 1943.
Put upon its passage October 26, 1943.

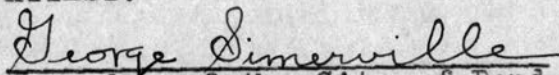
Yeas - 3.
Nays - 0.

Submitted ^{to} and approved by the Mayor this 26th day of October, 1943.



Mayor

ATTEST:



Recorder of the City of Bend

AN ORDINANCE TO AMEND ARTICLE VII of N.S. NO. 288, BEING AN ORDINANCE REGULATING PRIVATE BUSINESS AND LICENSING THE SAME, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

*Repealed by
N.S. 373*

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Article VII of Ordinance N.S. No. 288 be, and the same hereby is amended to read as follows:

VEHICLES FOR HIRE

SECTION I. It shall be unlawful for the owner, operator or driver of any jitney, taxicab, or for-hire car, or automobile operating through or over the streets or alleys of the City of Bend as a public utility for hire in carrying passengers, to operate any such car or automobile without first having obtained a license therefor.

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

SECTION III. No license will be issued to any applicant unless said applicant shall submit to the City Recorder and keep in good standing a Public Liability Insurance Policy covering all passengers in said public livery against loss by injury or death, for not less than \$5,000.00 each person, according to seating capacity of car or bus. Limits of \$5,000.00 each person or \$10,000.00 each accident and \$5,000.00 property damage involving other persons and property must also be provided. The Insurance Company shall notify the City Recorder in case of cancellation or lapse of policy.

SECTION IV. Any licensee convicted of the violation of this ordinance, or any other ordinance of the City of Bend, or the laws of the State of Oregon shall be grounds for the City Commission to cancel any license issued hereunder in addition to the other penalties provided for herein.

Read for the first time November 17, 1943.
Read for the second time December 1, 1943.
Put upon its passage December 1, 1943.

Yeas: 2 Nays: 0

Submitted to and approved by the Mayor this 1st day of December, 1943.

ATTEST:

George Dimerwill
Recorder of the City of Bend

H. L. Simpson
Mayor

(Repealed by NS 373)

ORDINANCE N. S. NO. 320

An ordinance to amend Section 1 of Ordinance N. S. No. 310, being an ordinance regulating the registering of dogs; providing for the taking up, impounding and killing of dogs not properly licensed; providing for the licensing of all dogs; 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; providing for a penalty for the violation hereof,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

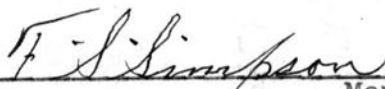
That Section 1 of Ordinance N. S. No. 310 be and the same hereby is amended to read as follows:

Section 1. Within the corporate limits of the City of Bend, 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, to permit such dog to run at large unless attached to such dog is a collar on which is a tag with an appropriate number, to be obtained from or through the County Clerk of Deschutes County, Oregon, or from the Recorder of the City of Bend, as hereinafter provided for, 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 April 1st to July 31st, both dates inclusive, of any year.

Read for the first time June 21st, 1944.
Read for the second time July 5th, 1944.
Put upon its passage July 5th, 1944.

Yeas - 2
Nays - 0

Submitted to and approved by the Mayor this 5th day of July, 1944.



Mayor.

ATTEST:



Recorder of the City of Bend

ORDINANCE NO. N.S. 321

An ordinance vacating all of the lots and streets in Blocks 1, 2, 5, 6, 7, 8 and 9 in Bend Park and Blocks 126 and 127 in First Addition to Bend Park.

WHEREAS, the City of Bend is the owner of Blocks 1, 2, 5, 6, 7, 8 and 9 in Bend Park and Blocks 126 and 127 in First Addition to Bend Park, and

WHEREAS, it is the intention and desire of the City of Bend to use said property contained in said blocks as a cemetery, to be added to the present cemetery located adjacent thereto, and

WHEREAS no use has ever been made of the said property, or the streets adjacent thereto, by the public, or otherwise, 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 21st, 1944, proposed to vacate said lots and streets hereinbefore enumerated, 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 public hearing was held at 8:00 P.M. on Wednesday the 19th day of July, 1944, in the Commission Chambers, in the City Hall, in Bend, Oregon, at which time any objections to the said vacation could be made and would be considered, and

WHEREAS, no objections to said resolution having been filed, or submitted otherwise, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

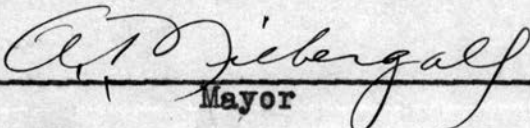
Section 1. That all of the lots and streets on Blocks 1, 2, 5, 6, 7, 8 and 9 in Bend Park and Blocks 126 and 127 in First Addition to Bend Park, be and the same hereby are vacated.

Read for the first time July 19th, 1944
Read for the second time August 2, 1944.
Put upon its passage August 2, 1944.

Yeas 2

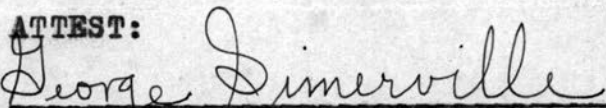
Nays 0

Submitted to and approved by the mayor this 2nd day of August, 1944.



Mayor

ATTEST:



Recorder of the City of Bend.

8383

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument
of writing was received for record on
the 12th day of July A.D. 1944 at 11:05 o'clock A.M.
and recorded in book 300 on pages 65
Record of
By Allen M. O'Quinn County Clerk
Deputy

Handwritten notes:
2
OK Paid

Section 1. That all of the lots and streets on blocks 1, 2, 3, 4, 5, 6, 7, 8 and 9 in Band Park and blocks 126 and 127 in First Park, be and the same hereby are vacated.

Section 2. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 3. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 4. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 5. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 6. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 7. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 8. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 9. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 10. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 11. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 12. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 13. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 14. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 15. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 16. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 17. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

Section 18. That the City of Bend, Oregon, do hereby certify that the within instrument was received for record on the 12th day of July, A.D. 1944 at 11:05 o'clock A.M. and recorded in book 300 on pages 65.

ORDINANCE NO. N.S. 322

An Ordinance regulating the location of buildings in residence sections of the City of Bend; requiring the permission of other residents before buildings other than residences may be constructed, and providing a penalty for the violation thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. A residence district is described as a section of the City of Bend where 50% or more, on both sides of the street, in any block, where a proposed building is to be constructed, is given to residence purposes.

Section 2. Before the City Recorder of the City of Bend shall issue a building permit for the erection, construction, and or establishment of any building or buildings to be used for any purpose other than a residence, and which comes within Section 1 of this ordinance the applicant for such permit shall follow one or the other of the two procedures following:

(1) Procure and file with the Recorder a petition, signed by 50% or more of the property owners within a distance of 300 feet, in both directions along both sides of the street, from the center of the front of the property where the proposed building is to be erected, constructed and or established, requesting the City Commission of the City of Bend to allow and cause said permit to be issued by the City Recorder; or

(2) Procure and file any petition with the Recorder requesting the City Commission of the City of Bend to allow and cause said permit to be issued by the City Recorder.

The City Commission reserves the right to grant or deny any request or petition for the issuance of a building permit under this ordinance.

Section 3. Any person, firm, partnership or corporation erecting, constructing or establishing such a building without first securing and filing the petition as herein provided for, and securing a permit, shall upon conviction thereof in the Municipal Court, be punished by a fine of not more than \$500.00 or by imprisonment in the City Jail for a period of not more than 100 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 nuisance and the same shall be abated.

Read for the first time August 16th, 1944
Read for the second time September 20th, 1944
Put upon its passage September 20th, 1944

Yeas 3
Nays 0 Submitted to and approved by the Mayor Sept. 20th, 1944.

ATTEST:

George Dimerville
Recorder of the City of Bend

Cliff Jiberg
Mayor

ORDINANCE N.S. NO. 323

AN ORDINANCE TO AMEND ARTICLE VII, of N.S. No. 288, 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 VII of Ordinance N.S. No. 288 be and the same is hereby amended to read as follows:

VEHICLES FOR HIRE

SECTION I. It shall be unlawful for the owner, operator or driver of any jitney, taxicab, or for-hire car, or automobile operating through or over the streets or alleys of the City of Bend as a Public Utility for hire in carrying passengers, to operate any such car or automobile without first having obtained a license therefor.

SECTION II. No license shall be issued to any person for a period longer than until the first day of the succeeding quarter of the calendar year, and such license shall be issued upon payment of one-fourth of the annual license fee.

SECTION III. No license will be issued to any applicant unless said applicant shall submit to the City Recorder and keep in good standing a Public Liability Insurance Policy covering all passengers in said public livery against loss by injury or death, for not less than \$5,000.00 each person, according to the seating capacity of car or bus. Limits of \$5,000.00 each person or \$10,000 each accident and \$5,000.00 property damage involving other persons and property must also be provided. The insurance company shall notify the City Recorder in case of cancellation or lapse of policy.

SECTION IV. Any licensee convicted of the violation of this ordinance, or any other ordinance of the City of Bend, or the laws of the State of Oregon, shall be grounds for the City Commission to cancel any license issued hereunder in addition to the other penalties provided for herein.

SECTION V. Ordinance N.S. No. 319 is hereby repealed.

Read for the first time Nov. 28, 1944
Read for the second time Dec. 20, 1944
Put upon its passage Dec. 20, 1944

Yeas 2 Nays 0

Submitted to and approved by the Mayor this 20th day of December, 1944.

W. Diebergalf
Mayor.

ATTEST:

George Limerille
Recorder.

ORDINANCE NO. NS-324

AN ORDINANCE REGULATING THE CONSTRUCTION, ALTERATION, REPAIR OR MOVING OF BUILDINGS FOR USE OTHER THAN AS RESIDENCES IN RESIDENTIAL SECTIONS OF THE CITY OF BEND; DEFINING RESIDENTIAL DISTRICTS; REQUIRING THE APPROVAL OF OTHER PROPERTY OWNERS OR RESIDENTS BEFORE SUCH BUILDINGS MAY BE CONSTRUCTED, ALTERED, REPAIRED OR MOVED; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND REPEALING ORDINANCE NO. NS 322.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. A residential district is hereby defined and declared to be a section of the City of Bend where 50% or more, on both sides of the street, in any block where a building is proposed to be constructed, altered, repaired or moved, is being used for residence purposes.

Section 2. Before the Recorder of the City of Bend shall issue a permit for the construction, alteration, repair or moving of any building to be used other than as a residence in a residential district as herein defined the applicant therefor shall, either

(a) Procure and file with the Recorder a petition signed by 50% or more of the property owners within a distance of 300 feet in both directions and on both sides of the street from the center of the front of the property where the building is proposed to be constructed, altered, repaired or moved, requesting the Commission of the City of Bend to direct such permit to be issued; or

(b) Procure and file with the Recorder ^{a petition} signed by other residents of the City of Bend requesting the Commission of the City of Bend to direct that such permit be issued.

Such petition shall be heard at the next regular meeting of the Commission of the City of Bend following the filing thereof whereupon the Commission may either grant or deny the same.

Section (3). Any person, firm, association or corporation constructing, altering, repairing or moving a building in a residential district for use other than residential without having secured a permit therefor shall upon conviction thereof in the Municipal Court be punished by fine of not more than \$500 or imprisonment in the city jail for not more than 100 days or by both such fine and imprisonment; and such building shall be deemed a public nuisance and same shall be abated.

Section (4). Ordinance No. NS 322 is hereby repealed.

Read for the first time March 21, 1945.
Read for the second time April 4, 1945
Put upon its passage April 4, 1945

Yeas 3
Nays 0

Submitted to and approved by the Mayor April 4, 1945.

Art. Dieberg
Mayor.

ATTEST:

George J. Inveralls
Recorder

ORDINANCE NS No. 325

An ordinance vacating that portion of East Railroad Street lying east of the east line of East Third Street and north of the north line of East Clay Avenue extended; that portion of East Railroad Street lying between the south line of East Clay Avenue extended and the west line of East Fourth Street; and north ten (10) feet and south ten (10) feet of that portion of East Burnside Avenue lying west of the west line of East Fourth Street; all in the plat of Keystone Terrace within the City of Bend.

Vac #128
In Vac. Part 2K.

WHEREAS, the Commission of the City of Bend heretofore and on March 21, 1945, adopted a resolution of intention to vacate the streets above described, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall in Bend, Oregon, at eight o'clock p. m. of May 2, 1945, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of that portion of East Railroad Street lying east of the east line of East Third Street and north of the north line of East Clay Avenue extended; that portion of East Railroad Street lying between the south line of East Clay Avenue extended and the west line of East Fourth Street; and north ten (10) feet and south ten (10) feet of that portion of East Burnside Avenue lying west of the west line of East Fourth Street, all in the plat of Keystone Terrace within the City of Bend, be and the same is hereby vacated.

Read for first time May 2, 1945.
Read for second time May 16, 1945.
Put upon its passage May 16, 1945.
Yeas 3
Nays 0

Submitted to and approved by the mayor this 16th day of May, 1945.

Attest:-

George Dummerille
Recorder of the City of Bend.

Art Jibergall
Mayor.

ORDINANCE NS No. 326

An ordinance to extend East Burnside Avenue in the City of Bend west to East Third Street and declaring such extension to be a public street.

WHEREAS, it is necessary in the public interest that East Burnside Avenue be extended to connect with East Third Street thereby furnishing a needed traffic outlet for residents of the district and the traveling public generally, and

WHEREAS, all of the property adjacent to such proposed extension is now owned by the City of Bend, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

*Ext. 128.
Vac. Plat. BK.*

Section 1. That the north and south boundary lines of East Burnside Avenue in the City of Bend be extended from the present western termini thereof to the east boundary line of East Third Street and that the strip of land within said boundary lines as so extended be and same is hereby declared to be a public street.

Read for first time May 2, 1945,
Read for second time May 16, 1945,
Placed upon its passage May 16, 1945.
Yeas 3
Nays 0

Submitted to and approved by the mayor this 16th day of May, 1945.

A. W. Jebergall

Mayor.

Attest:

George D. Smeyville

Recorder of the City of Bend.

(Classify Initiative)

ORDINANCE NS NO. 327

ORDINANCE NS NO. ~~326~~

An ordinance delegating power to the city engineer to improve certain streets of the City of Bend and make the expense thereof a lien upon the property liable therefor.

WHEREAS, there are many miles of unimproved streets in the City of Bend the cost of maintaining which is a continual expense to the taxpayers and the nature of the soil in which is such that only hard surfacing of some sort is suitable for improvement thereof, and

WHEREAS, the City of Bend now has certain machinery and equipment suitable for laying oil mat, a satisfactory hard surfacing material, and

WHEREAS, property owners on certain streets have filed their petitions in writing asking that such streets be improved with oil mat surfacing and concrete curbs and sidewalks and the Commission has deemed it expedient to so improve said streets and has adopted its resolutions of intention to improve designating said projects as Local Improvement Districts Nos. 124 to 135, inclusive, and

WHEREAS, the charter of the City of Bend authorizes the Commission to delegate the power of improving streets to the city engineer,

NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

1. The city engineer is hereby delegated power to and instructed and directed to proceed with when labor and materials are available the street improvements provided for under the resolutions of intention heretofore adopted by the Commission creating Local Improvement Districts Nos. 124 to 135, inclusive.
2. That as such improvements are completed the city engineer make the expense thereof a lien upon the property liable therefor under the provisions of Sec. 4 of Chapter 8 of the charter of the City of Bend.

Read first time July 2, 1945.
Read second time July 18, 1945.
Put upon its passage July 18, 1945.

Yeas 3
Nays 0

Submitted to and approved by the mayor July 18, 1945.

W. J. Bergall
Mayor.

Attest: George Dinwille
Recorder.

10-207

ORDINANCE NS No. 328

An ordinance delegating to the City Engineer the authority to improve and repair streets and to construct, improve and repair side and cross walks.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1 Authority is hereby delegated to the City Engineer to improve and repair streets and to construct, improve and repair side and cross walks.

Sec. 2 When a petition signed by owners of more than 75 per cent of the property fronting on a particular section of street seeking the improvement thereof, specifying the kind of improvement desired and agreeing to make payment of the cost thereof, shall have been filed with the Recorder he shall present same at the next regular meeting of the Commission when if said petition is approved the City Engineer shall proceed to prepare plans for and to determine the estimated cost of such proposed improvement and shall file his report in writing thereon with the Recorder who shall present the same to the Commission at its next regular meeting.

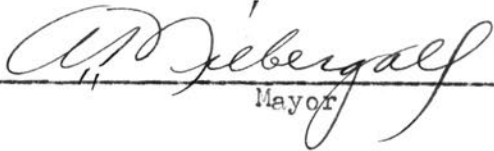
Sec. 3 When the report of the City Engineer on the estimated cost of a proposed street improvement is presented to the Commission same shall be examined and considered and if it shall be deemed expedient or necessary to proceed with such proposed street improvement the Commission shall adopt a resolution declaring its intention to improve said street and designating same as a Local Improvement District.

Sec. 4 When the Commission shall have adopted a resolution of intention to improve a certain street the City Engineer shall proceed to construct such improvement and upon completion thereof shall proceed to have the cost thereof assessed against the property benefitted thereby under the provisions of Sec. 4 of Chapter VIII of the Charter of the City of Bend.

First reading September 5, 1945.
Second reading September 19, 1945.
Put upon its passage September 19, 1945.

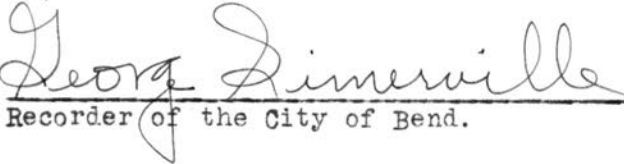
Yeas 2 Nays 0

Submitted to and approved by the mayor this 19th day of September, 1945.



Mayor

ATTEST:



Recorder of the City of Bend.

ORDINANCE NO. NS 329

AN ORDINANCE TO RE-ENACT ORDINANCE NS. NO. 315 OF
THE CITY OF BEND AND DECLARING AN EMERGENCY:

The City OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. NS 315 as amended of the City of Bend entitled "AN ORDINANCE TO STABILIZE THE COST OF SHELTER IN THE CITY OF BEND, TO PROTECT THE HEALTH OF ITS CITIZENS, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF, AND DECLARING AN EMERGENCY" is hereby re-enacted and placed in full force and effect until January 1, 1947.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend and the citizens thereof, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately after its passage by the Commission and approval by the Mayor.

Read first time Dec. 19, 1945.

Read second time and placed upon its passage January 10, 1946.

Yeas 3 Nays 0

Approved by the Mayor this 10th day of January, 1946.

C. P. Jebergall
Mayor

ATTEST:

George Duvicille
Recorder of the City of Bend,

8-205

ORDINANCE NO. NS 330

AN ORDINANCE TO AMEND ORDINANCE NS NO. 315 OF THE CITY OF BEND AND DECLARING AN EMERGENCY:

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section I.

(a) Ordinance NS No. 315 is amended as follows:

(1) By changing the prologue to read as follows:

WHEREAS, the 77th United States Congress, second session Acts of January 30, 1942, and October 2, 1942, declared it to be in the interest of the national defense and security, and necessary to the effective prosecution of the present war that speculative, unwarranted and abnormal increases in rents be prevented; and

WHEREAS, if the Office of Price Administration established a rent control area in Bend, all rentals would be frozen at the prices charged on March 1, 1942, and a severe hardship would be worked on all of the property owners in the City of Bend and many would be forced to operate their properties at an actual loss; and

WHEREAS the said Office of Price Administration has signified its unwillingness to set up a rent control area in Bend if the matter can be controlled locally; and

WHEREAS, due to the return of military and civilian personnel seeking housing accommodations in Bend, rents for such accommodations are reaching a point greatly in excess of actual rental values and many returning veterans and their families are unable to find any accommodations whatsoever; and

WHEREAS ARTICLE "H", Section 6, Charter of the City of Bend authorizes it to license, tax and regulate all such callings, trades professions, or employments as in the opinion of the Commission, the public health or good may require to be licensed, taxed or regulated.

(2) Section I is amended to read as follows:

Section I. Necessity. That it is urgently necessary for the maintenance of adequate living space at a reasonable price, and for the protection of the health of persons engaged therein, that rentals and occupancies, and evictions be regulated.

(3) Section 4. (a) is amended to read as follows:

Section 4.

(a) Immediately following the passage of this ordinance, the City Commission shall appoint a fair rent committee consisting of not more than seven members, one of whom shall be elected by said committee as chairman thereof.

Section II.

The provisions of this ordinance being necessary for the protection of the health and welfare of citizens of Bend, and it shall terminate only upon appropriate action of the City Commission.

Section III.

Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Bend and the citizens thereof, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately after its passage by the Commission and approval by the Mayor.

Read first time Dec. 19, 1945.

Read second time and placed upon its passage January 10, 1946.

Yeas 3 Nays 0

Approved by the Mayor this 10th day of January, 1946.

W. J. Dieberg

Mayor.

Attest:

George Linnerville

Recorder of the City of Bend

NS.330

ORDINANCE NS No. 331

An ordinance changing the name of a portion of Woodland Boulevard and the name of a portion of Greenwood Avenue.

THE CITY OF BEND DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The name of that portion of Woodland Boulevard lying between the north line of East Franklin Avenue and the south line of East Quimby Avenue is hereby changed to East Ninth Street.

Section 2. The name of that portion of Greenwood Avenue lying between the westerly line of Wall Street and the westerly bank of the Deschutes river is hereby changed to Newport Avenue.

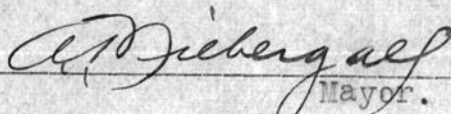
Read first time April 17, 1946.

Read second time May 1, 1946.

Placed upon its passage May 1, 1946.

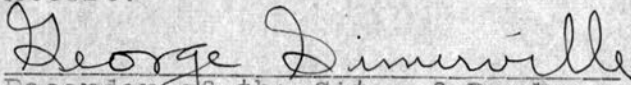
Yeas 3 Nays 0

Submitted to and approved by the mayor this 1st day of May, 1946.



Mayor.

Attest:



Recorder of the City of Bend.

N.S.
ORDINANCE NO. 333

AN ORDINANCE relating to and providing for a license upon certain public utilities, pursuits and privileges, defining offenses and providing penalties for its violation.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The provisions of this ordinance shall be deemed an exercise of the power of the City of Bend, Deschutes County, Oregon, to license for revenue.

Section 2. In construing the provisions of this ordinance, save when otherwise plainly declared or clearly apparent from the context, the following definitions shall be applied:

The word "person" whenever used in this ordinance shall be construed to mean "company", "corporation", "co-partnership", or "individual".

The term "electric light and power business" means the business of operating a plant or system for the sale of electrical energy.

The term "gross operating revenue" means the revenue accruing from the performance of said public service business transacted within the corporate limits of the City of Bend, and shall more specifically be construed to mean the gross operating revenue required to be credited by the taxpayer to the taxpayer's operations within the City of Bend under the uniform system of accounts prescribed for that public service business by the Public Utilities Commissioner of the State of Oregon. Unless otherwise provided in this ordinance, there shall be no deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery cost, taxes or other expense.

Section 3. From and after the beginning of the first calendar month of the year 1946 following the taking effect of this ordinance, there is hereby levied and there shall be collected from every person a tax for the act or privilege of engaging, within the said City of Bend, in the electric light and power business.

Such tax shall be levied and payable for calendar monthly periods, the tax for each such monthly period to be equal to one-twelfth of the basic amount found by multiplying the gross operating revenue of said business during the calendar year next preceding, less the deductions from gross operating revenue specified in Section 11 of this ordinance, by the rate of two (2) per cent.

Section 4. The tax imposed hereunder shall be payable on or before the last day of each monthly period to the treasurer of the City of Bend. The taxpayer, on or before the last day of the first monthly period of 1946 during which this ordinance applies, and thereafter on or before the last day of February of each year, shall make out a return setting forth the gross operating revenue of the business for the next preceding whole calendar year, sign and transmit the same to the treasurer of the City of Bend, together with a payment of the tax as computed in Section 3 for the monthly period then being completed.

Section 5. It shall be the duty of each taxpayer taxed upon taxpayer's gross operating revenue to keep and enter in a proper book or set of books or records, an account which shall accurately reflect the amount of gross operating revenue, which account shall always be open to the inspection of the city treasurer or his authorized agent, and members of the city commission and from which said officer or his agent may verify the return made by the taxpayer.

Section 6. If any taxpayer fails to make said return, or if the city treasurer is dissatisfied as to the correctness of the return of any taxpayer, said officer or his agent may enter the premises of said taxpayer at any reasonable time for the purpose of inspecting taxpayer's books or records of account to ascertain the amount of the tax or to determine the correctness of such statement as the case may be and may examine any person under oath, administered by said officer or his agent, touching the matters inquired into, may fix a time and place for an investigation of the correctness of the return, and may issue a subpoena to the taxpayer or any other person, to attend upon such investigation, and there testify under oath administered by said officer or his agent, in regard to the matters inquired into and by subpoena require taxpayer or any person to produce for inspection such books, records and papers as may be necessary.

Section 7. If the city treasurer, upon investigation, or upon checking returns, finds that the tax paid on any of them is more than the amount required of the taxpayer, he shall refund the amount overpaid by a warrant upon the general fund. If the city treasurer finds that the tax paid is less than required, he shall send a statement to the taxpayer showing the balance due, and taxpayer shall within ten (10) days pay the amount shown thereon.

Section 8. If any taxpayer fails to make said return or pay the tax therefor within ten (10) days after the same shall become due, the city treasurer shall ascertain the amount of the tax due and shall notify such taxpayer thereof, and such taxpayer shall be liable therefor in any suit or action by the city for collection thereof. The city treasurer shall also notify the city attorney, in writing, of the name of such delinquent taxpayer and the amount due from such taxpayer, and said officer shall, with the assistance of the city treasurer, collect the same by any appropriate means or by suit or action in the name of said city.

Section 9. It shall be unlawful for any person or corporation liable to tax hereunder to fail or refuse to make return or pay the tax when due, or for any person to make any false or fraudulent return or false statement or representation in, or in connection with, any such return or to allow or to abet another in any attempt to evade payment of the tax or fail to appear and testify in response to subpoena issued in pursuance hereto, or to testify falsely upon any investigation of the correctness of a return, or in any manner to hinder or delay the city or any of its officers in carrying out the provisions of this ordinance.

Section 10. If any provisions or sections of this ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this ordinance, not expressly so held to be void or unconstitutional, shall continue in full force and effect.

Section 11. There shall be excepted and deducted from the total gross operating revenue upon which the tax is computed so much thereof as is derived from transactions in interstate or foreign commerce, or from business done for the government of the United States, its officers or agents, and any amounts paid by the taxpayer to the United States, State of Oregon, or the City of Bend as excise, occupational or business taxes levied or imposed upon the sale or distribution of property or services in said City of Bend.

Nothing in this ordinance shall be construed as requiring a license or the payment of a license fee or tax, or the doing of any act, which would constitute an unlawful burden or interference in violation of the constitution or the laws of the United States, or which would not be consistent with the constitution or laws of the State of Oregon.

Section 12. Any person violating or failing to comply with any of the provisions of this ordinance or any lawful rule or regulation adopted by the city treasurer pursuant thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$100.00 or by imprisonment in the city jail not to exceed 30 days, or by both such fine and imprisonment.

Passed by the Commission this 27th day of May, 1946.

Approved this 27th day of May, 1946.

A. J. Hilberg
Mayor

Attest: George Limerville
City Recorder

ORDINANCE NS No. 332

An ordinance vacating a portion of that portion of Idaho Avenue in the City of Bend lying between Broadway and St. Helens Place by reducing the width thereof from sixty feet to forty-four feet.

WHEREAS, a sufficient petition was duly filed for the vacation of the street above described and after due notice a public hearing was had thereon at the Commission Chambers in the City Hall at eight o'clock p. m. of April 17, 1946, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That portion of Idaho Avenue in the City of Bend lying and being between Broadway and St. Helens Place be and the same is hereby vacated to the extent that the width thereof be and the same is hereby reduced from sixty feet to forty-four feet.

Read for the first time April 17, 1946.

Read for the second time May 15, 1946.

Put upon its passage May 15, 1946.

Yeas 3 Nays 0

Submitted to and approved by the mayor this 15th day of May, 1946.

W. J. Bergall
Mayor.

Attest:

George Dimeville
Recorder of the City of Bend.

ORDINANCE NO. N. S. 334

An Ordinance fixing fees for issuance of building permits.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1. Before a building permit is issued a fee therefor shall be paid to the Recorder of the City of Bend, based on the following schedule:

Valuation:	Fee:
Not exceeding \$20 -----	None
\$20 to \$100 -----	\$1.00
More than \$100 and not exceeding \$400 --	2.00
More than \$400 and not exceeding \$700 --	3.00
More than \$700 and not exceeding \$1,000 -	4.00
Each additional \$1,000 or fraction not exceeding \$15,000 -----	2.00
Each additional \$1,000 or fraction not exceeding \$50,000 -----	1.00
Each additional \$1,000 or fraction exceeding \$50,000 -----	.50

Sec. 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

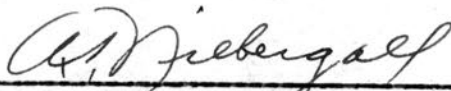
Read first time April 29, 1946.

Read second time June 5, 1946

Placed upon its passage June 5, 1946.

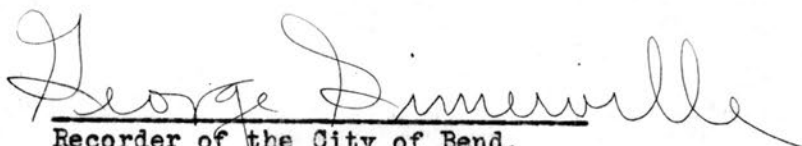
Yeas 3 Nays 0

Approved by the Mayor June 5, 1946.



Mayor.

Attest:



Recorder of the City of Bend.

ORDINANCE NO. N. S. 335

An Ordinance vacating that portion of East Quimby Avenue lying west of the west line of Lytle Street and east of the right-of-way of the Oregon Trunk Railway, in the City of Bend.

WHEREAS, the Commission of the City of Bend heretofore and on April 8, 1946, duly adopted a resolution of intention to vacate the street above described, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall at eight o'clock P. M. of May 15, 1946, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That that portion of East Quimby Avenue lying west of the west line of Lytle Street and east of the right-of-way of the Oregon Trunk Railway, in the City of Bend, be and the same is hereby vacated.

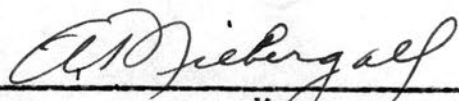
Read first time May 15, 1946

Read second time June 5, 1946

Put upon its passage June 5, 1946.

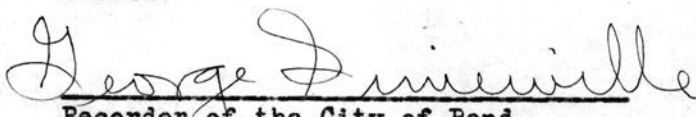
Yeas 3 Nays 0

Submitted to and approved by the Mayor this 5th day of June, 1946.



Mayor.

Attest:



Recorder of the City of Bend.

ORDINANCE NS NO. 337

An ordinance vacating all of the alley in block one of Cascade Addition to Bend excepting the east 200 feet thereof; all of East Dekalb Avenue lying west of the east line projected southerly of lot thirteen in said block one; and all of East First Street lying southerly from the easterly boundary of the Pilot Butte Canal and the south line of East Emerson Avenue.

WHEREAS, the Commission of the City of Bend heretofore and on August 7, 1946, adopted a resolution of intention to vacate the streets and alley above described, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall in Bend, Oregon, at eight o'clock p.m. on September 18, 1946, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of the alley in block one of Cascade Addition to Bend excepting the east 200 feet thereof; all of East Dekalb Avenue lying west of the east line projected southerly of lot thirteen in said block one; and all of East First Street lying southerly from the easterly boundary of the Pilot Butte Canal and the south line of East Emerson Avenue, be and the same is hereby

Read first time September 18, 1946.
Read second time October 2, 1946.
Put upon its passage October 2, 1946.
Yeas 2 Nays 0

Submitted to and approved by the mayor this 2nd day of October, 1946.

J. W. McCann
acting Mayor.

Attest:

George Dimerville
Recorder of the City of Bend.

Donald Drive - from the south city limits to the south line of Evandale Drive.

Evandale Drive - from the east line of Courtland Drive to the west line of Donald Drive.

Geneva Drive - from the east line of Donald Drive to the east city limits.

Eastland Drive - from the east line of Ellis Drive to the east city limits.

Shady Drive - from the east line of Fordham Drive to the west line of Ridge Drive.

Craig Drive - from the north line of Shady Drive to the south line of East Alden Avenue.

Ridge Drive - from the east line of Ellis Drive to the south city limits.

Evelyn Lane - from the east line of Ellis Drive to the south line of Ridge Drive.

Millican Drive - from the south line of East Alden Avenue to the west line of South Thirteenth Street.

Vinal Court - from the north line of Coble Drive to the south line of Glenwood Drive.

Weir Lane - from the north line of Ridge Drive to the south line of East Alden Avenue.

Parkway East Twelfth Street - from the north line of Millican Drive to the south line of Alden Avenue.

East Railroad Street - from the south line of Woodland Boulevard to the south city limits.

be and the same are hereby vacated.

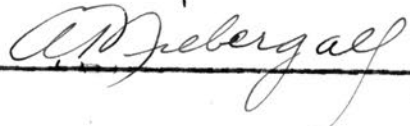
Read first time October 9, 1946.

Read second time Nov 6, 1946.

Put upon its passage November 6, 1946.

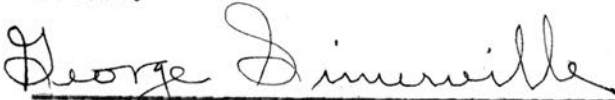
Yeas 3 Nays 0

Submitted to and approved by the mayor this 6th day of November, 1946.



Mayor.

Attest:



Recorder of the City of Bend.

An ordinance vacating certain blocks, lots and streets located in the plat of Bend Park in the City of Bend.

WHEREAS, the Commission of the City of Bend heretofore and on September 4, 1946, adopted a resolution of intention to vacate certain lots, blocks and streets in the plat of Bend Park in said city, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the commission chambers in the City Hall in Bend, Oregon, on October 9, 1946, at eight o'clock p.m. at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDIN AS FOLLOWS:

Section 1. That all of the following described lots, blocks and streets in the plat of Bend Park in said city, to-wit:

Lots 4 thru 7, Block 18, All of Block 19, All of Block 20, All of Block 21, All of Block 22, All of Block 23, All of Block 24, All of Block 25, All of Block 27, All of Block 28, All of Block 29, All of Block 30, All of Block 31, All of Block 32, All of Block 33, All of Block 34, All of Block 35, All of Block 37, All of Block 38, All of Block 39.

Lots 12 thru 27, Block 40, All of Block 41, All of Block 42, All of Block 43, All of Block 44, All of Block 45, All of Block 46.

Lots 7 thru 13, Block 47, All of Block 49, All of Block 50, All of Block 51, All of Block 52, All of Block 53, All of Block 54, All of Block 55, All of Block 56, All of Block 57, All of Block 58, All of Block 59, All of Block 60, All of Block 61, All of Block 62.

Glenwood Drive - from the east line of South Fifth Street to the west line of Woodland Boulevard.

Coble Drive - from the east line of South Seventh Street to the west line of Woodland Boulevard.

Manitou Drive - from the east line of South Seventh Street to the west line of Woodland Boulevard.

South Seventh Street - from the west line of Fordham Drive to the south line of Glenwood Drive.

South Sixth Street - from the south line of Lot 19, Block 27 to the south line of Glenwood Drive.

Fordham Drive - from the north line of East Railroad Street to the south line of Manitou Drive.

Courtland Drive - from the north line of East Railroad Street to the east line of Fordham Drive.

Woodland Boulevard - from the northeast line of East Railroad Street to the south line of East Alden Avenue.

Inland Drive - from the east line of Woodland Boulevard to the west line of Ridge Drive.

Ellis Drive - from the northeast line of East Railroad Street to the east line of Woodland Boulevard.

Circle Drive - from the northeast line of East Railroad Street to the east line of Ellis Drive.

East Circle Drive - from the east line of Circle Drive to the south line of Inland Drive.

O'Neill Drive - from the northeast line of East Railroad Street to the east city limits.

Drexel Drive - from the south city limits to the south line of Inland Drive.

ORDINANCE NO. N. S. 339

An Ordinance vacating the Northeasterly 127 feet of Dohema Road lying and being between Blocks 5 and 6, Pinelyn Park, Deschutes County, Oregon, lying and being in the City of Bend.

WHEREAS, the Commission of the City of Bend heretofore and on the 2nd day of October, 1946, has duly adopted a motion to Vacate the street above described, and

WHEREAS, after due notice as required by said motion a public hearing was had thereon at the Commission Chambers at the City Hall at 8:00 p.m. of Wednesday, the 6th day of November, and the Commission, having continued said matter from each regular Commission meeting until January 15th, 1947, at which hearing no objections or remonstrances to such vacation were presented, NOW THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the Northeasterly 127 feet of Dohema Road lying and being between Blocks 5 and 6, Pinelyn Park, Deschutes County, Oregon, in the City of Bend be and the same is hereby vacated.

Read first time January 15, 1947.

Read second time February 5, 1947.

Put upon its passage February 5, 1947.

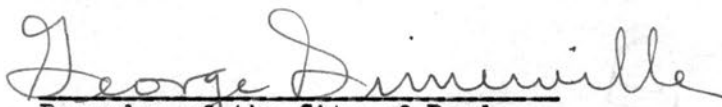
Yeas: 3 Nays: 0

Submitted to and approved by the Mayor this 5th day of February, 1947.



Mayor

Attest:



Recorder of the City of Bend

ORDINANCE NO. N. S. 340

An ordinance vacating all of that portion of Lakeside Place platted as Lakeside Avenue as is situated in Orokla, Bend, Deschutes County, Oregon to its Northern terminus, which terminus is described as a Westerly extension of the North boundary line of Lot 1, Block 7, Orokla and so much of Division Street platted as Fifth Street as lies between the North line of Xerxes Avenue also described as a Westerly extension of the South line of Block 7, Orokla and Lakeside Place in Orokla, Bend, Deschutes County, Oregon.

WHEREAS, The City Commission of the City of Bend was heretofore on the 5th day of February, 1947, duly and regularly petitioned to vacate the streets above described and

WHEREAS, said petition was found to be in order and to meet the requirements of the law regulating the vacation of streets and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend at 8 o'clock P.M. of the 19th day of March, 1947 at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of that portion of Lakeside Place platted as Lakeside Avenue as is situated in Orokla, Bend, Deschutes County, Oregon, to its Northern terminus, which terminus is described as a Westerly extension of the North boundary line of Lot 1, Block 7, Orokla and so much of Division Street platted as Fifth Street as lies between the North line of Xerxes Avenue, also described as a Westerly extension of the South line of Block 7, Orokla and Lakeside Place in Orokla, Bend, Deschutes County, Oregon, be and the same is hereby vacated.


Read first time March 19th, 1947.

Read second time April 2nd, 1947.

Put upon its passage April 2nd, 1947.

Yeas: 3 Nays: 0

Submitted to and approved by the Mayor this 2nd day of April, 1947.



Mayor

Attest:


Recorder of the City of Bend

ORDINANCE NO. N. S. 341

An ordinance vacating all that portion of Block Seven (7) Center Addition to Bend, Deschutes County, Oregon, particularly described as follows:

An alley lying and being between Lots Five (5), and Seven (7) inclusive and Lots Twelve (12) to Fifteen (15) inclusive in said Block Seven (7), Center Addition to Bend, Deschutes County, Oregon

WHEREAS, the City Commission of the City of Bend was heretofore on the 5th day of February, 1947, duly and regularly petitioned to vacate the alley above described and

WHEREAS, said petition was found to be in order and to meet the requirements of the law regulating the vacation of streets and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City Hall in the City of Bend at 8 o'clock p.m. of the 2nd day of April, 1947, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of that portion of Block Seven (7), Center Addition to Bend, Deschutes County, Oregon, particularly described as follows:

An alley lying and being between Lots Five (5) and Seven (7) inclusive and Lots Twelve (12) to Fifteen (15) inclusive in said Block Seven (7), Center Addition to Bend, Deschutes County, Oregon

be and the same is hereby vacated.

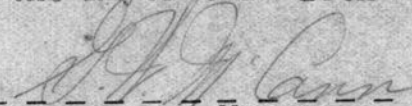
Read first time April 2nd, 1947.

Read second time, April 16, 1947.

Put upon its passage April 16, 1947.

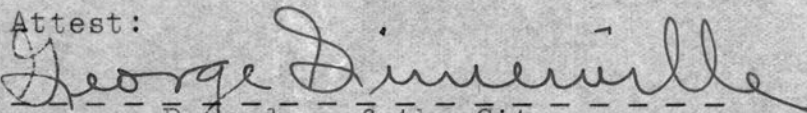
Yeas: 3 Nays: None

Submitted to and approved by the Mayor this 16th day of April, 1947.



Mayor

Attest:



Recorder of the City
of Bend

ORDINANCE NO. 342

AN ORDINANCE DIVIDING THE CITY OF BEND INTO DISTRICTS; PRESCRIBING THE USES TO WHICH PROPERTY IN SUCH DISTRICTS MAY BE PUT; REGULATING, RESTRICTING AND PROHIBITING THE LOCATION OF INDUSTRIES, TRADES, APARTMENT HOUSES, TWO FAMILY HOUSES, AND SINGLE FAMILY HOUSES; REGULATING AND RESTRICTING THE AREA AND DIMENSIONS OF LOTS AND YARDS; THE ERECTION, ALTERATION AND MAINTENANCE OF BUILDINGS AND THE HEIGHT AND ALIGNMENT THEREOF; PROVIDING FOR THE ESTABLISHMENT OF BUILDING SET BACK LINES; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

The City of Bend ordains as follows:

PART I

Section 1. SHORT TITLE. This ordinance shall be known as the "Zoning Ordinance of the City of Bend, Oregon," and the map herein referred to shall be known as the "Zoning Map of the City of Bend, Oregon." Said map and all explanatory matter thereon are hereby adopted and made a part of this ordinance.

Section 2. SCOPE. No building or land shall hereafter be used and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located, except as otherwise provided therein. No permit for the construction or alteration of any building shall be issued unless the plans, specifications, and intended use of such building conform in all respects with the provisions of this ordinance.

Section 3. MINIMUM REQUIREMENTS FOR GENERAL WELFARE. The provisions of this ordinance shall be deemed the minimum requirements for the preservation of the public safety, health, convenience, comfort, prosperity and general welfare of the people of the City of Bend, Oregon.

Section 4. DUTY OF ENFORCEMENT. It shall be the duty of the zoning officer, who shall be designated by the City Commission, to see that this ordinance is enforced.

Section 5. OCCUPANCY PERMIT. No vacant land shall be occupied or used and no building hereafter erected shall be occupied or used, nor shall the use of a building be changed from a use limited to one district to that of any other district as defined by this ordinance until an occupancy permit shall have been issued by the building inspector. No permit for excavation or laying foundation for any building shall be issued before application has been made for an occupancy permit.

An occupancy permit for the use of vacant lands, or the change in use of land, shall be applied for before any such land shall be occupied or a change occurs in its use. An occupancy permit shall be issued within ten days after application therefor has been made if such use is in conformity with this ordinance.

Section 6. TEMPORARY USES. The City Planning Commission may, upon such petition notice and hearing as it may deem proper, recommend to the City Commission the granting of a temporary permit to use certain specified property for a purpose not authorized in the district in which such property is located. Such temporary permit may be granted by motion or resolution, and shall be revocable at the will

of the City Commission or extended for a time specified in the grant thereof, and it may be granted subject to such other limitations and conditions as the City Commission may impose.

Section 7. ILLEGAL OCCUPANCY. Any use of a premises or building which deviates from or violates any of the provisions of this ordinance shall be termed an illegal occupancy and the person or persons responsible therefor shall be subject to the penalties herein provided.

Section 8. CONTRACT PURCHASERS DEEMED OWNERS. A person or persons purchasing property under contract, for the purposes of this ordinance, shall be deemed to be the owner or owners of the property covered by the contract. The City Planning Commission or the City Commission may require satisfactory evidence of such contract of purchase.

Section 9. AMENDMENTS. The City Commission may, from time to time, on its own motion or own petition, after public notice and hearing, amend the regulations and change the districts herein established. Every such proposed amendment shall be referred by the City Commission to the City Planning Commission for report. Any such amendment that has failed to receive the approval of the City Planning Commission shall not be passed, except by a unanimous vote of the City Commission. The City Commission or the City Planning Commission may initiate proposed changes in districts, which changes may be made only after notice to the owners of the properties within an area bounded by lines parallel to and three hundred feet from the lines bounding the area to be changed, and after a public hearing. All changes, except those initiated by the City Commission or the City Planning Commission shall be made only upon petition bearing the signatures of the owners of 50% or more of the property within an area bounded by lines parallel to and three hundred feet from the boundaries of the area to be changed. Such petition shall contain the addresses and sufficient description of the properties owned for the identification thereof, and shall be filed with the Recorder and directed to the City Commission.

A petition filed with the Recorder shall forthwith be referred to the City Planning Commission by the Recorder and the City Planning Commission shall check such petitions for sufficiency and shall make a report to the City Commission embodying its recommendations. No petitions shall be approved by the City Commission until the City Planning Commission has submitted a report relative to the same, and the City Planning Commission must submit such report within 60 days of the filing of the petition with the Recorder. The City Commission must vote upon the petition within 90 days of its filing with the Recorder.

The City Planning Commission shall afford persons particularly interested, and the general public, an opportunity to be heard at a time and place specified in a notice of hearing to be sent by mail to the last known address of all property owners within an area bounded by lines parallel to and three hundred feet from the boundaries of the area to be changed. Notice thereof shall also be published in a local newspaper of general circulation within the municipality, not less than three times in any daily, and not less than once in any other newspaper and within the week in which said meeting is to be held.

If a protest against such amendment be presented, duly signed by the owners of 20% of the land within an area bounded by lines parallel to and three hundred feet from

the area to be changed, such amendment shall not be passed except by a unanimous vote of the City Commission.

Section 10. APPEALS FROM RULINGS ON PERMITS. Any interested citizen or administrative officer of the city may appeal to the City Commission from any ruling pertaining to the granting or denial of any permit applied for hereunder when such ruling is adverse to his interests, by filing with the City Recorder within ten (10) days from such ruling a written notice of appeal. Such written notice shall state with reasonable accuracy the particular ruling from which appeal is made, and state the grounds therefor. Thereupon the City Recorder shall forthwith obtain all papers constituting the record upon which the action appealed from is based, and refer the same to the City Planning Commission, which shall, within 30 days, submit its written recommendation thereon together with the record to the commission. Said commission or the City Commission may receive such additional evidence as either deems relevant to the issues involved. Upon receiving such recommendation and record, and within 30 days and after a public hearing thereon, the Commission shall have power to affirm, overrule, or alter any such ruling.

Section 11. PENALTY FOR VIOLATION. The owner or owners of any building or premises, or part thereof, where anything in violation of this ordinance shall be placed, or shall exist, or be maintained, and any architect, builder or contractor who shall assist in the commission of any such violation, and all persons or corporations who shall violate or maintain any violation of any of the provisions of this ordinance or who shall fail to comply therewith, or with any requirements thereof, or who shall build in violation of any detailed statement of plan submitted and approved thereunder, shall for each and every violation or non-compliance be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$200.00, or by imprisonment in the city jail not to exceed 100 days, or by both such fine and imprisonment. Each day that a violation of this ordinance continues shall be considered a separate offense.

Section 12. CONFLICTING PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 13. VALIDITY. Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part declared invalid.

PART II

Section 14. DEFINITIONS. The following words and phrases when used in this ordinance shall have the meanings respectively ascribed to them in this section, excepting in those instances where the context clearly indicates a different meaning.

Words used in the present tense include the future, the singular number includes the plural; and the plural the singular, the word lot includes the word plot and the word building includes the word structure.

DWELLINGS, SINGLE FAMILY. A single family dwelling is a building used or arranged for use as the home or abode of but one family and in which not more than six boarders or lodgers are accommodated.

DWELLINGS TWO FAMILY. A two family dwelling is a building used or arranged for use as the home or abode of but two families, living independently of each other, and in which not more than six boarders or lodgers shall be accommodated by each family.

DWELLINGS, MULTIPLE FAMILY. A multiple family dwelling is a building used or arranged for use as the home or abode of three or more families, living independently of each other and doing their own cooking in said building and shall include flats and apartments.

GARAGE, PRIVATE. A private garage is a garage for not more than three automobiles, for storage only, and intended for private use, but in which space may be rented for storage only of not more than two vehicles, by other than the occupants of the buildings to which such garage is accessory.

HALF STORY. A half story is a story of a building which is situated within a sloping roof, the usable floor area of which does not exceed two-thirds of the floor area of the story immediately below it.

LOT. A lot is a parcel of land in a single or a joint ownership, occupied by not more than one building and the accessory buildings or uses customarily incident to it, including open spaces required herein.

NON-CONFORMING BUILDING OR USE. A non-conforming building or use is one that does not conform with the regulations provided herein for a given use district.

STREET LINE. The street line is the dividing line between the street and the lot.

YARD, FRONT. A front yard is an open, unoccupied space on the same lot with a building, between the front line of the building and the street line of the lot, unobstructed upward.

YARD, REAR. A rear yard is an open, unoccupied space on the same lot with a building, between the rear line of the building and the rear line of the lot, unobstructed upward.

YARD, SIDE. A side yard is an open unoccupied space on the same lot with a building, situated between the building and the side line of the lot and extending through from the street to the rear yard, or where no rear yard is required, to the rear line of the lot.

PART III

Section 15. USE DISTRICTS. For the purpose of this ordinance, the City of Bend is hereby divided into five types of districts as follows:

1. R Residence District
2. C-1 Neighborhood Commercial District
3. C-2 Tourist Commercial District
4. C-3 Central Commercial District
5. I Industrial District

The boundaries of the districts are hereby established as shown on the official zoning map of the City of Bend, Oregon, which accompanies this ordinance and is on file in the office of the Recorder.

Unless otherwise shown on the zoning map of the city, the boundaries of the districts are lot lines, center lines of streets and alleys, railroad right-of-way lines, or corporate limit lines as they existed at the time of the enactment of this ordinance.

Section 16. RESTRICTIONS WITHIN DISTRICTS

R - Residence District.

In the R - Residence District, no building or premises shall be used, and no building shall hereafter be erected or structurally altered, unless otherwise provided for in this ordinance except for one or more of the following uses.

1. One and two family dwellings.
2. Multiple dwellings.
3. Churches, schools, hospitals, greenhouses, nurseries, lodge halls, libraries, parks and playgrounds.
4. Uses accessory to dwellings:
 - (a) Private garages as separate buildings when located not less than sixty (60) feet from the front lot line nor less than twenty (20) feet from any flanking street line, garages and fuel houses attached to or within the dwelling.
 - (b) The office of a physician, dentist, or other professional person when located in his or her dwelling.
 - (c) Home occupations engaged in by individuals within their dwellings provided they do not occupy accessory buildings on the same lot and that the premises are not used for the retail sale of the product of such occupation.
 - (c) The renting of rooms for lodging purposes only, for the accommodation of not to exceed six persons, in a single family dwelling is permissible.
5. Signs:
 - (a) Accessory uses described in subsection 4, parts (b) and (c), shall have no window display and no sign other than one not exceeding four square feet in area and bearing only the name and occupation of the occupant.
 - (b) Accessory use described in subsection 4, part (d), shall not be advertised by any sign over 2 square feet in area.
 - (c) Signs not exceeding eight (8) square feet in area pertaining to the leasing, rental, or sale of buildings or premises are permitted.

- (d) Signs on non-conforming uses are permitted, provided that such signs are erected flat against the building or painted on the side thereof.
- (e) All other signs, signboards, and billboards are prohibited, within a Residence District.

6. Yard Requirements:

In the R - Residence District, the following minimum yard requirements shall prevail:

- (a) Front yard: twenty (20) feet deep from lot line to any structure.
- (b) Rear yard: twenty-five (25) feet deep from lot line to the principal building.
- (c) No side yard shall be less than three (3) feet wide at its narrowest point and the sum of the width of the side yards shall in no case be less than ten (10) feet, except for an accessory building which is set back 60 feet or more from the front line in which case the structure may be placed on the lot line.

7. Site area requirements:

In the R - Residence District, the following minimum site area requirements shall prevail:

- | | |
|--|---|
| (a) Single family dwelling units | 4,800 sq. ft. |
| (b) Two family dwelling units | 7,000 sq. ft. |
| (c) Three and four family dwelling units | 8,000 sq. ft. |
| (d) More than four family dwelling units | 8,000 sq. ft. plus 600 sq. ft. for each additional unit, over four. |

8. Building height requirements:

In the R - Residence District, the following height requirements shall prevail:

- (a) Dwellings shall be limited to two and one-half stories.
- (b) Accessory buildings shall be limited to one and one-half stories, not to exceed 22 ft. in height.
- (c) All other buildings shall not exceed three stories or thirty-five (35) feet in height unless each side yard is increased over the side yard minimum by the addition of five feet per every five feet or fraction thereof, additional height over thirty-five feet.

9. One principal building on a lot:

Hereafter, no lot in the R - Residence District shall have more than one principal building constructed thereon and such principal building shall not occupy more than thirty-five (35) per cent of the total area of the lot.

C - 1 Neighborhood Commercial District

In the C - 1 Neighborhood Commercial District, no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this ordinance, except for one or more of the following uses:

1. All of the uses permitted in the R - Residence District.
2. Retail stores:
 - (a) Food stores.
 - (b) Automobile service stations.
 - (c) Drug stores.
3. Service establishments:
 - (a) Laundry agency.
 - (b) Cleaning agency.
 - (c) Barber shop.
 - (d) Beauty parlor.
 - (e) Shoe repair.
 - (f) Outdoor advertising.
4. Height, area and yard requirements:

In the C - 1 Neighborhood Commercial District the height of buildings, site area and yard requirements for residence buildings shall be the same as those in the Residence District. In the case of Commercial structures the height shall be limited to two stories, and no side yard shall be required other than that provided for in the building code for the prevention of fire. Front yards shall be not less than ten (10) feet. Rear yard shall be not less than ten (10) feet deep if bordering on an alley, otherwise no back yard is required.

In the C - II Tourist Commercial District, no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this ordinance except for one of the following uses:

1. All uses permitted in the C - 1 Neighborhood Commercial District.
2. Restaurants.
3. Gift, novelty and sports shops.
4. Tourist Courts having a minimum ground area of 2000 square feet per unit.
5. Trailer courts having a minimum ground area of 1000 square feet per trailer unit.
6. The same minimum height, area, and yard restrictions as apply to C-1 Neighborhood Commercial Districts, prevail in the C-II Tourist Commercial District.

C-111 - Central Commercial District

In the C-111 Central Commercial District, no building or premises shall be used and no building shall hereafter be erected or structurally altered unless otherwise provided in this ordinance except for one or more of the following uses:

1. All of the uses permitted in the C-11 Tourist Commercial District.
2. Clubs.
3. All commercial uses including but not limited to, retail stores, service establishments, professional and other offices, recreational enterprises, financial institutions, and hotels.

I - Industrial District

In the I - Industrial District premises, except as otherwise provided in this ordinance, may be used for any purpose permitted in the C-111 Central Commercial District and any other purpose except those uses which have been declared nuisances by statute or ordinance, or any court of competent jurisdiction, or which may be obnoxious or offensive by reason of the emission of odor, dust, smoke, gas or noise, provided that the City Commission shall have the power to grant conditional and revocable permits for any such use within the industrial district after public hearings and examination of the location upon due proof to the satisfaction of the City Commission that the maintenance of such use will not be unduly detrimental to adjacent and surrounding property.

PART IV

Section 17. REDUCTION IN AREA OF LOTS. No lot shall be reduced in area so that yards less than the minimum required under this ordinance shall result.

Section 18. ONLY ONE PRINCIPAL BUILDING ON ANY LOT. No dwelling shall be erected on a lot which does not abut at least one street. No building in the rear of a principal building on the same lot may be used for residential purposes, except for employees of the occupants of the principal building and their immediate families.

Section 19. YARD SPACES SHALL NOT OVERLAP. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space required under this ordinance for another building.

Section 20. LOT OF RECORD EXEMPTION. Where the owner of a lot or lots of official record at the time of the enactment of this ordinance does not own sufficient space in said lot or lots to enable him to conform to the yard and other requirements of this ordinance, such lot or lots may be used as a building site, provided, that the yard, space and other requirements shall conform as closely as possible in the opinion of the Planning Commission to the requirements for the district in which the property is located.

Section 21. FRONT YARDS. The front yard requirements of this ordinance shall not apply within any district where the average depth of the existing front yard on developed lots, located within one hundred (100) feet on each side of the lot and within the same block and zoning district and fronting on the same street as such lot, is greater or less than the minimum required front yard depth. In such cases

the depth of the front yard on such lot shall not be less than the average existing front yard depths on the developed lots.

Section 22. EXCEPTIONS TO HEIGHT LIMITS. The height limitations of this ordinance shall not apply to church spires, belfries, cupolas and domes not for human occupancy, monuments, water towers, observation towers, transmission towers, windmills, chimneys, smokestacks, derricks, conveyors, flagpoles, radio towers masts and aerials.

Section 23. EXISTING BUILDINGS AND NON-CONFORMING USES. When a property or an existing building at the time of the passage of this ordinance has a use which was legal prior to the passage of this ordinance, such use may continue, even though it be not in conformity with the zoning regulations. If, however, the use of the building or premises is changed, it shall be changed to a use conforming to the zoning regulations, and after such change, it will not be permissible to change back again to the original non-conforming use. A non-conforming use shall not be extended, but the extension of a use to any portion of a building which was arranged or designed for such non-conforming use at the time of the passage of this ordinance, shall not be deemed the extension of a non-conforming use. If a non-conforming use be discontinued for the period of one year, the same cannot be again continued.

A building devoted to a non-conforming use at the time this ordinance becomes effective shall not thereafter while such non-conforming use continues undergo more than one extension and such extension shall not exceed in cost more than 50 per cent of the then replacement cost of the existing structure. A non-conforming advertising sign if removed from the premises other than for maintenance and repair may not be replaced. No exterior sign aggregating more than ten square feet in area shall hereafter be erected to advertise a non-conforming use.

When a building having a non-conforming use is damaged by fire or other cause so that the total deterioration exceeds 60 per cent of the cost of replacing the building using new materials, then such building shall not be rebuilt, unless such building in its construction and uses conforms fully to the requirements of this ordinance and other ordinances of the City as applied to new buildings and uses in the district in which it is to be located. When a building having a non-conforming use is damaged by fire or other cause to an extent which will permit rebuilding, such construction must commence within six months of date of damage and be completed within one year of such date if the use is to continue as a non-conforming use.

Section 24. COMPLETION OF BUILDINGS. Nothing in this ordinance shall require any change in the plans, construction, alteration or designated use of a building upon which construction has actually begun thirty (30) days previous to the passage of this ordinance and the ground story framework of which, including the second tier of ceiling beams, shall have been completed. However, such entire building must be completed in accordance with the original plans within one (1) year from the date of commencing construction, to avoid violation of this ordinance.

Read for the first time June 5, 1946

Read for the second time April 16, 1947

Put upon its passage April 16, 1947.

Yeas: 3

Nays: None

Submitted to and approved by the Mayor this 16th day of April, 1947.

J. W. Carr

Mayor.

Attest:

George Dimerille

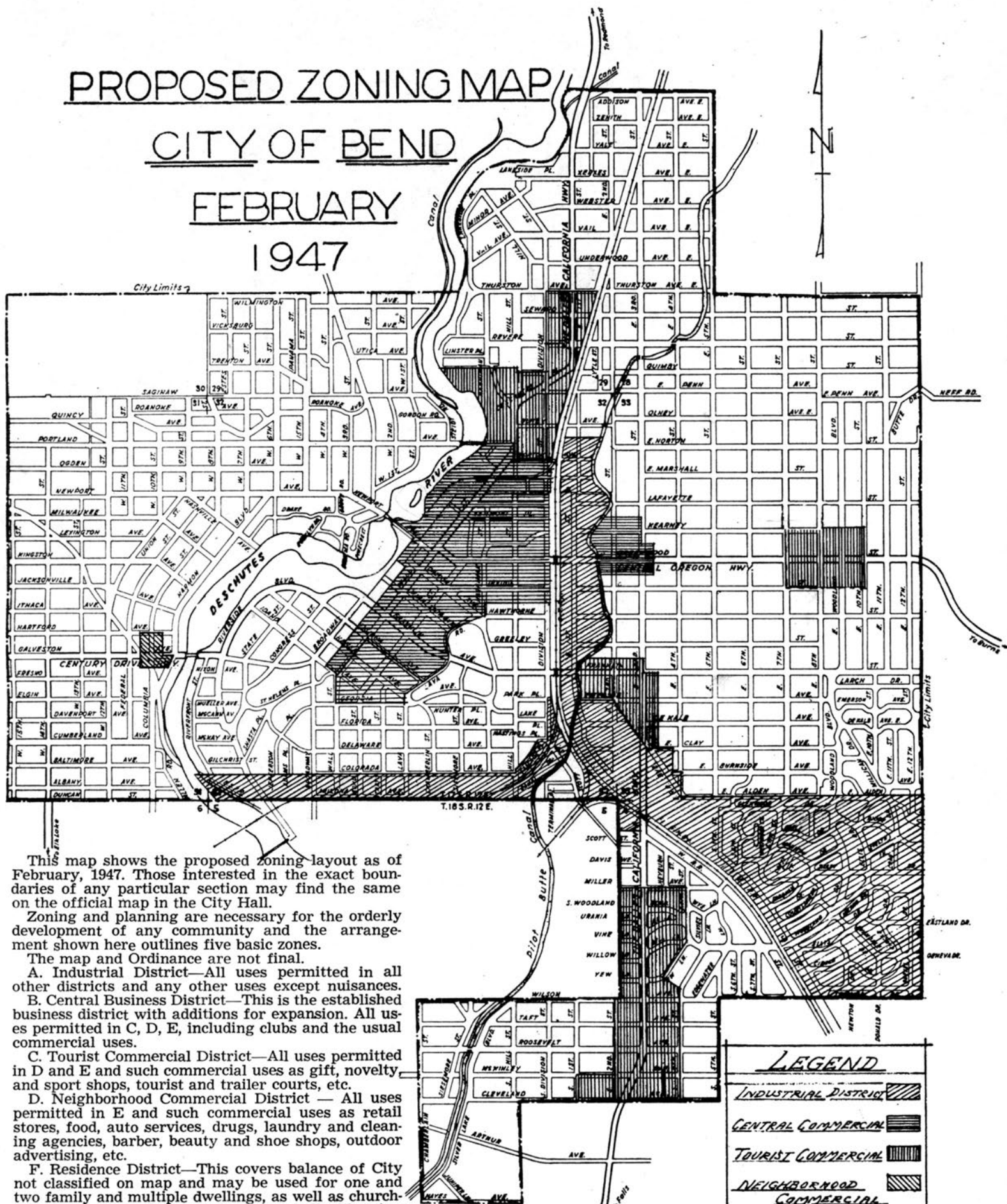
Recorder of the City of Bend.

ORD N.S. 342

PROPOSED ZONING MAP

CITY OF BEND

FEBRUARY
1947



This map shows the proposed zoning layout as of February, 1947. Those interested in the exact boundaries of any particular section may find the same on the official map in the City Hall.

Zoning and planning are necessary for the orderly development of any community and the arrangement shown here outlines five basic zones.

The map and Ordinance are not final.

A. Industrial District—All uses permitted in all other districts and any other uses except nuisances.

B. Central Business District—This is the established business district with additions for expansion. All uses permitted in C, D, E, including clubs and the usual commercial uses.

C. Tourist Commercial District—All uses permitted in D and E and such commercial uses as gift, novelty and sport shops, tourist and trailer courts, etc.

D. Neighborhood Commercial District — All uses permitted in E and such commercial uses as retail stores, food, auto services, drugs, laundry and cleaning agencies, barber, beauty and shoe shops, outdoor advertising, etc.

F. Residence District—This covers balance of City not classified on map and may be used for one and two family and multiple dwellings, as well as churches, schools, hospitals, nurseries, lodge halls, libraries, parks, playgrounds, and other limited uses.

LEGEND	
INDUSTRIAL DISTRICT	
CENTRAL COMMERCIAL	
TOURIST COMMERCIAL	
NEIGHBORHOOD COMMERCIAL	

No. N.S. 342

CORR. 7 AUG 1947. RST May

An ordinance vacating all that portion of Block Four (4), Orokla Addition to Bend, Deschutes County, Oregon, and Block Twelve (12), Riverside Addition to the City of Bend, Deschutes County, Oregon, particularly described as follows:

All that portion of an alley lying between East Xerxes Avenue and East Webster Avenue, said alley forming the East boundary of Lots Six (6) and Five (5), block Four (4), Orokla Addition to the City of Bend, and Lots Four (4), Three (3), Two (2), and One (1), Block Twelve (12), Riverside Addition to the City of Bend, according to the official plats on file in the County Clerks office, Deschutes County, Oregon

WHEREAS, the City Commission of the City of Bend was heretofore on the 19th day of March, 1947, duly and regularly petitioned to vacate the alley above described and

WHEREAS, said petition was found to be in order and to meet the requirements of the law regulating the vacation of streets and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City Hall in the City of Bend at 8 o'clock p.m. of the 7th day of May, 1947, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all that portion of Block Four (4), Orokla Addition to Bend, Deschutes County, Oregon, and Block Twelve (12), Riverside Addition to the City of Bend, Deschutes County, Oregon, particularly described as follows:

All that portion of an alley lying between East Xerxes Avenue and east Webster Avenue, said alley forming the East boundary of Lots Six (6) and Five (5), Block Four (4), Orokla Addition to the City of Bend, and Lots Four (4), Three (3), Two (2), and One (1), Block Twelve (12), Riverside Addition to the City of Bend, according to the official plats on file in the County Clerks office, Deschutes County, Oregon

be and the same is hereby vacated.

Read first time May 7, 1947.

Read second time, May 21, 1947

Put upon its passage May 21, 1947

Yeas: 3 Nays: None

Submitted to and approved by the Mayor this 21st day of May, 1947.

Attest:

George D. Smeville

J. A. Carr
Mayor

MARSCH AND MCKAY
LAWYERS
4 O'KANE BUILDING, BEND, OREGON

N/S
ORDINANCE NO. 344

RELATING TO TRAFFIC AND REGULATING USE OF PUBLIC STREETS IN THE CITY OF BEND, OREGON; DEFINING AND ESTABLISHING PARKING METER ZONES AND REGULATING AND CONTROLLING AND PROVIDING FOR INSPECTION OF THE TIME PARKING OF VEHICLES THEREIN BY THE USE OF PARKING METERS; PRESCRIBING LIMITS OF TIME FOR PARKING IN PARKING METER ZONES; PROVIDING FOR ENFORCEMENT OF THIS ORDINANCE AND PUNISHMENT FOR ITS VIOLATION; AND DECLARING AN EMERGENCY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. DEFINITIONS: Whenever in this ordinance the following terms are used, they shall have the meanings respectively ascribed to them in this section.

STREET. Every way set apart for public travel except alleyways, bridle paths and foot paths.

ROADWAY. That portion of a street between the regularly established curb lines.

SIDEWALK. That portion of a street between the curb lines and the adjacent property lines.

VEHICLE. A conveyance propelled by motor power.

PARKING METER ZONE. Parking meter zones shall mean portions of streets and off street property controlled by the city, established by ordinance as zones within which the parking of vehicles shall be controlled, regulated, and inspected with the aid of timing devices or meters, herein referred to as parking meters or meters.

Section 2. The Parking Meters Zone of the City of Bend shall embrace those blocks and portions of blocks where parking meters are now installed.

Section 3. The City Manager is hereby authorized and directed to install meters in all parking meter zones hereby established or hereafter established by the City Commission for the purpose of, and in such numbers and at such places as in the judgment of the City Commission may be necessary to, the regulation, control, and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles.

Section 4. Parking meters installed in parking meter zones shall be installed upon the curb immediately adjacent to the individual parking spaces hereinafter described, and each parking meter shall be so constructed and adjusted as to show when properly operated a signal that the space adjacent to which it is installed is or is not legally in use.

Section 5. The City Manager shall have lines or markings painted upon the curb or street adjacent to each parking meter, designating the parking space for which said meter is to be used, and each vehicle parked adjacent to any parking meter shall park within said lines or markings. It shall be unlawful to park any vehicle across any such line or marking, or to park a vehicle in such a position that it shall not be entirely within the space

designated by such lines or markings.

Section 6. It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in his name or operated or controlled by him to be upon any street within a parking meter zone in any space adjacent to which a parking meter is installed, for more than 60 consecutive minutes, unless otherwise authorized or designated by the City Commission, or any time during which the meter is showing a signal indicating that such space is illegally in use -- other than such time as is necessary to operate the meter to show legal parking -- between the hours of 9 a.m. and 6 p.m. of any day, Sundays and such legal holidays excepted as are designated by the City Commission.

Section 7. Parking meters when installed and properly operated, shall be so adjustable as to show legal parking during a period of twelve minutes upon and after the deposit therein of a United States one cent coin, twenty-four minutes upon and after the deposit therein of two United States one cent coins, thirty-six minutes upon and after the deposit therein of three United States one cent coins, forty-eight minutes upon and after the deposit therein of four United States one cent coins, sixty minutes upon and after the deposit therein of five United States one cent coins or one United States five cent coin and, or, one hundred twenty minutes upon and after the deposit therein of five United States one cent coins and one United States five cent coin or two United States five cent coins. Payments of the aforesaid amounts for the above periods shall be made for parking in the areas set forth hereinabove.

Section 8. The City Commission shall have the authority to regulate the use of space in parking zones by tradesmen.

Section 9. It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device, or metallic substitute for a one cent or a five cent coin of the United States.

Section 10. It shall be unlawful for any unauthorized person to open, or for any person to deface, injure, tamper with, or wilfully break, destroy, or impair the usefulness of any parking meter installed pursuant to this ordinance, or to hitch any animals thereto.

Section 11. It shall be the duty of the chief of police, under the direction of the City Manager, to keep account of all violations of this ordinance.

(a) He shall keep an account of and report the number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this ordinance, the date and hour of such violation, the make and the state license number of each vehicle, and any other facts,

a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

(b) He shall attach to each vehicle a notice stating that it has been parked in violation of this ordinance, and instructing the owner or operator to report to the police department in regard to such violation. The owner or operator may, within the day when such notice was attached to such vehicle, pay the amount of fifty cents; on the second day after said notice one dollar; on the third day after said notice one dollar fifty cents; on the fourth day after said notice two dollars. Beyond the fourth day after said notice a warrant of arrest may be served. The above specified amounts shall be considered as bails applying on such violation.

Section 12. That any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding two hundred dollars or by imprisonment in the city jail of the city of Bend, Oregon, for a period not exceeding one hundred days, or by both such fine and imprisonment. The provisions of this paragraph are subject to the provisions of this ordinance.

Section 13. The amount of the coins required to be deposited in parking meters as provided herein is hereby levied and assessed as a fee to provide for the proper regulation, control, and inspection of traffic upon the public streets, and to cover the cost of supervising, regulating, and inspecting the parking of vehicles in the parking meter zones provided, the cost of placing and maintaining lines or markings, designating parking spaces in parking meter zones, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control, and use of the parking meters installed hereunder, and the special fund in which such fees shall be placed shall be devoted exclusively to those purposes.

Section 14. It shall be the duty of the city treasurer to designate some person or persons to make regular collections of the money deposited in said parking meters, and delivering the money to the city treasurer, and it shall also be the duty of the city treasurer to count the money and place it in a special fund to be known as the "Parking Meter Fund", which fund shall be used exclusively for the purposes specified in Section 13. Such person or persons making such collection shall be bonded in the sum of two thousand dollars (\$2000), to insure the faithful performance of his or their duties.

Section 15. This ordinance shall be deemed to be in addition and supplementary to, and not in conflict with, nor a repeal of existing ordinances of this city, but shall be an additional provision for the regulation of traffic and parking in the parking meter zones provided.

Section 16. If any section, part of section, sentence, clause, or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

Section 17. All ordinances or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed.

Section 18. Whereas the traffic problems in the city of Bend have become very serious and parking meters to assist in the control thereof are vitally needed and their immediate installation imperative, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage.

First read at a regular meeting of the City Commission of the City of Bend, held on the 5th day of March, 1947, and finally read and passed at a regular meeting of the City Commission of the City of Bend held on the 2nd day of July, 1947, by the following votes:

Yeas: 3

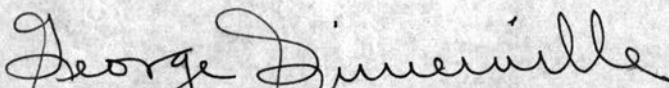
Nays: None

Approved by the Mayor this 2nd day of July, 1947.

G. W. McCann
Mayor.



Attest:



George Simerville
Recorder of the City of Bend.

ORDINANCE NO. NS345

AN ORDINANCE providing for the issuance and sale of City of Bend Refunding Water Bonds, in the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), for the purpose of providing funds to retire outstanding maturing bonds, providing the form of said bonds and the sale thereof, and declaring an emergency;

WHEREAS, the City has outstanding general obligation water bonds in the amount of Two Hundred and Twenty Thousand Dollars (\$220,000.00), dated September 1, 1925, maturing September 1, 1947, bearing interest at the rate of five and one-half per cent ($5\frac{1}{2}\%$) per annum, payable semi-annually, and

WHEREAS, said bonds were issued for the purpose of providing water facilities for the City, and

WHEREAS, the City Commission deems it for the best interests of the City to issue refunding bonds to provide funds with which to pay and retire said bonds, and

WHEREAS, there is now Seventy-six Thousand Three hundred and Twenty Dollars (\$76,320.00) in the sinking fund applicable to said bonds, and no investments or other funds, and it is necessary to issue refunding bonds in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00); now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Section 1. That the City of Bend do issue refunding water bonds in the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), par value in amount, said bonds to be in denominations of One Thousand Dollars (\$1,000.00) each, numbered 1 to 150, inclusive, to be dated August 15, 1947, to mature serially in numerical order at the rate of Fifteen Thousand Dollars (\$15,000.00) on the 15th day of August in each of the years 1948 to 1957, inclusive; provided however, that all bonds which mature thereafter shall be subject to call and redemption on August 15, 1952 and on any

interest paying date thereafter; to bear interest payable semi-annually on the 15th days of February and August in each year, principal and interest to be payable at the office of the City Treasurer in Bend, Oregon; said bonds to be signed by the Mayor and countersigned by the Recorder under the corporate seal of the City, and the interest on said bonds shall be represented by semi-annual interest coupons attached thereto bearing the facsimile signatures of said Mayor and Recorder, which said bonds shall be known as "City of Bend Refunding Water Bonds."

Section 2. Said bonds shall bear interest at the rate of two per cent (2%) per annum, payable semi-annually.

Section 3. Said City of Bend Refunding Water Bonds, and the coupons attached thereto shall be in substantially the following form:-

No. _____

\$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
Deschutes County
CITY OF BEND REFUNDING WATER BOND

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

ONE THOUSAND DOLIARS

on the fifteenth day of August, 19____, with interest thereon at
the rate of two per cent (2%) per annum, payable semi-annually
on the fifteenth days of February and August to the bearer of the
respective coupons therefor hereto attached, upon presentation and
surrender thereof as they mature, both principal and interest being
payable at the office of the City Treasurer of the City of Bend,
Oregon.

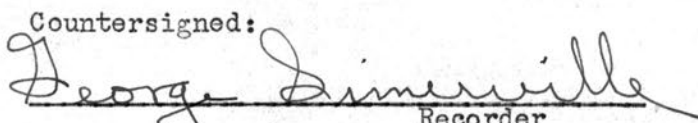
This bond is one of a series of like date and tenor, ex-
cept as to maturities, aggregating One Hundred Fifty Thousand Dollars
(\$150,000.00), par value in amount, issued under the authority of
Section 95-1631 et seq. Oregon Compiled Laws Annotated, and is
issued for the purpose of retiring and redeeming outstanding bonded
indebtedness of the City of Bend, Oregon.

It is hereby certified that every requirement of law relat-
ing to the issue hereof has been duly complied with, and that this
bond is within every debt and other limit prescribed by the Constitution
or laws of the State of Oregon, or the Charter of said City.

For the punctual payment of the principal hereof and the
interest thereon, the full faith and credit of the City of Bend are
hereby irrevocably pledged.

IN WITNESS WHEREOF, the City of Bend has caused this bond to be signed by the Mayor and countersigned by the Recorder under the corporate seal of said City, and the interest coupons attached to bear the facsimile signatures of said Mayor and Recorder this fifteenth day of August, 1947.


Mayor

Countersigned:

Recorder

On the face of all bonds maturing after 1952 there shall be added a new paragraph reading:

"This bond is subject to call and redemption on August 15, 1952, and on any interest paying date thereafter."


(COUPON)

No. _____

\$10.00

On the fifteenth day of February, 19 _____, THE
August
CITY OF BEND, DESCHUTES COUNTY, OREGON, will pay to bearer --
TEN DOLLARS

at the office of the City Treasurer of the City of Bend, Oregon,
for six months' interest then due on City of Bend Refunding Water Bond,
dated August 15, 1947, No. _____.



Mayor

Countersigned:

Recorder

At the end of each coupon maturing after August 15, 1952,
there shall be added:

"Unless said bond is sooner redeemed as therein
provided, which redemption will render this coupon
void."

Section 4. The Commission shall, each year during the
life of the bonds hereby authorized, provide for an annual tax levy
which together with other funds available for said purpose, shall be
sufficient to pay the interest on and the principal of the refunding
water bonds hereby authorized as they become due and payable. Any
funds which may hereafter be received for the credit of the bonds
being refunded shall also be applied to the payment of the bonds hereby
authorized.

Section 5. The Recorder is instructed to advertise said bonds for sale on August 25th, 1947, by publishing a notice of sale in The Bend Bulletin for at least two weeks.

Section 6. WHEREAS, the bonds being refunded will mature on September 1, 1947 and there being no money on hand with which to pay the same, and in order to protect the credit of the City these bonds must be sold and the money available before said date, and it is necessary, therefore, that this ordinance take effect immediately; now, therefore,

AN EMERGENCY IS HEREBY DECLARED TO EXIST, and this ordinance shall go into force and effect immediately upon its passage and approval.

Passed by the ~~Commission~~ this 6th day of August, 1947, by the following vote:-

YEAS: 3
NAYS: 0

J. H. Cann
Mayor

George Dimerwill
Recorder

Approved by the Mayor this 6th day of August, 1947.

Mayor

chase, if sold on terms, the Recorder shall present a deed for execution and delivery to the purchaser. Should more than one application to purchase be on file all parcels so applied for may be included in a single notice of sale.

WHEREAS the City of Bend owns many parcels of real property, which parcels are off the tax roll and should be restored to private ownership, and it is necessary that a method of public sale thereof be placed in operation at the earliest possible date, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage.

Read first time July 25th, 1947.

Read second time and placed upon its passage August 6, 1947.

Yeas 3 Nays 0

Submitted to and approved by the Mayor this 6th day of August, 1947.

Attest:

George Dimerville
Recorder of the City of Bend.

J. H. Carr
Mayor.

RISING BOND

RADIO CONTENT

U.S.A.

ORDINANCE NS # 346

AN ORDINANCE PROVIDING FOR THE PUBLIC SALE OF REAL PROPERTY OF THE CITY OF BEND:

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Sec. 1 Any person desiring to purchase real property of the City of Bend shall make application in writing to the Recorder of the City of Bend whereupon if said real property is for sale and has not been appraised within sixty days prior to the filing of such application the Commissioners or a majority of them shall within ten days thereafter make an appraisal in writing thereof and file same with the Recorder, which appraisal shall constitute the minimum price for the sale of such real property. The party making the application to purchase, if willing to pay not less than such minimum price, shall then deposit with the Recorder a sum of money sufficient to meet the cost of the advertising hereinafter provided for and thereupon the Recorder shall cause a notice to be published in a newspaper published in the City of Bend in three issues one week apart that on a date not less than fifteen days after the first publication of said notice said real property will be offered for sale to the highest bidder at public auction at the front door of the City Hall at an hour between ten o'clock a. m. and four o'clock p. m. at not less than the appraised price which shall be stated in said notice together with costs of advertising; and said notice shall also state the terms of sale. If at such sale the applicant becomes the purchaser his deposit shall be applied upon the purchase price and if another person purchases said real estate then such deposit shall be returned to applicant; but if applicant or another does not bid at least the appraised value plus costs of advertising then such deposit shall be forfeited to the City of Bend.

Sec. 2 All sales shall be conducted by the Recorder. If a sale is made on terms the City Manager in behalf of the City of Bend shall enter into a contract of sale with the purchaser. At the next regular meeting of the Commission after a sale, if for cash, and after completion of payment under the contract of pur-

ORDINANCE NO. N. S. 347

An ordinance vacating the alley lying and being between Lot 5, Block 7 and Lot 1, Block 8, Mill Addition, Bend, Deschutes County, Oregon.

WHEREAS, The City Commission of the City of Bend was heretofore on the 18th day of June, 1947, duly and regularly petitioned to vacate the alley above described and

WHEREAS, said petition was found to be in order and to meet the requirements of the law regulating the vacation of streets and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend at 8:00 o'clock P.M. on the 6th day of August, 1947, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1, That the alley lying and being between Lot 5, Block 7, and Lot 1, Block 8, Mill Addition, Bend, Deschutes County, Oregon, be and the same is hereby vacated.


Read First Time August 6, 1947.

Read second Time August 20, 1947.

Put upon its passage August 20, 1947.

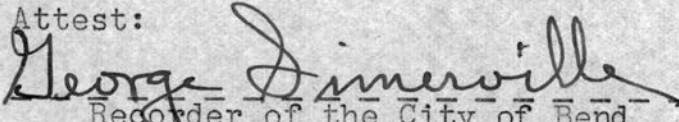
Yeas: 3 Nays: 0

Submitted to and approved by the Mayor this 20th day of August, 1947.



Mayor

Attest:



Recorder of the City of Bend

ORDINANCE NO. NS348

AN ORDINANCE VACATING THE ALLEY BETWEEN BLOCK NINE (9) AND BLOCK FORTY (40), WIESTORIA, BEND, DESCHUTES COUNTY, OREGON

WHEREAS The City Commission of the City of Bend did heretofore by Resolution on the 16th day of July, 1947, commence proceedings for the vacation of:

All of the alley between Block Nine (9) and Block Forty (40), Wiestoria, Bend, Deschutes County, Oregon, which alley is between East Fourth Street and East Fifth Street in said City,

and

WHEREAS after due notice as required by law, a public hearing was held thereon at the Commission chambers at the City Hall in the City of Bend at 8:00 P.M. on the 20th day of August, 1947, at which hearing no objections or remonstrances to said proposed vacation were presented

NOW, THEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of the alley between Block Nine (9) and Block Forty (40), Wiestoria, Bend, Deschutes County, Oregon, which alley is between East Fourth Street and East Fifth Street in said City, be and the same is, hereby vacated.

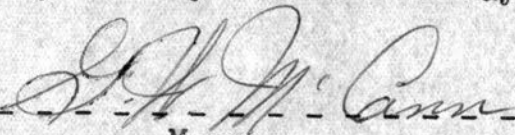
Read first time August 20, 1947.

Read second time September 17, 1947.

Put upon its passage September 17, 1947.

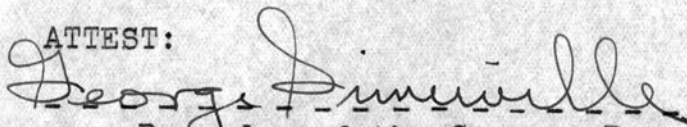
Yeas: 3 Nays: 0

Submitted to and approved by the Mayor this 17th day of September, 1947.



Mayor

ATTEST:


Recorder of the City of Bend

B83
P51

ORDINANCE NO. NS349

AN ORDINANCE VACATING THE ALLEY IN BLOCK TWENTY-SIX (26), NORTHWEST TOWNSITE COMPANY'S SECOND ADDITION, BEND DESCHUTES COUNTY, OREGON

WHEREAS The City Commission of the City of Bend did heretofore by Resolution on the 16th day of July, 1947, commence proceedings for the vacation of:

All of the alley in Block Twenty-six (26), Northwest Townsite Company's Second Addition, Bend, Deschutes County, Oregon, which alley extends between Twelfth Street and Thirteenth Street in said Block and City

and

WHEREAS after due notice as required by law, a public hearing was held thereon at the Commission chambers at the City Hall in the City of Bend at 8:00 P.M. on the 20th day of August, 1947, at which hearing no objections or remonstrances to said proposed vacation were presented

NOW, THEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of the alley in Block twenty-six (26) Northwest Townsite Company's Second Addition, Bend, Deschutes County, Oregon, which alley extends between Twelfth Street and Thirteenth Street in said Block and City, be and the same is, hereby vacated.

Read first time August 20, 1947.

Read second time September 17, 1947

Put upon its passage September 17, 1947.

Yeas: 3

Nays: 0

Submitted to and approved by the Mayor this 17th day of September, 1947.

J. H. Carr

Mayor

ATTEST:

George Dinnerville

Recorder of the City of Bend

Recorder
Copy

ORDINANCE NO. NS 350

AN ORDINANCE REGULATING THE CONSTRUCTING, ERECTING, RAISING, LOWERING, ALTERING, REPAIRING, AND USE OF BUILDINGS; PROVIDING FOR PROTECTION AGAINST FIRE; DEFINITELY ESTABLISHING THE FIRE 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. 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 shall 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 inflammability, to amount to a substantial rebuilding, or to increase the fire risk to adjacent property. Permission 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, 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 percent of the cost of erection and construction of a new building or structure of the 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:

BUILDING PERMIT FEES

<u>Total Valuation</u>	<u>Fee</u>
Less than \$20.00	\$ No Fee
\$20.00 to and including \$100.00	\$1.00
More than \$100.00, to and including \$400.00	2.00
More than \$400.00, to and including \$700.00	3.00
More than \$700.00, to and including \$1,000.00	4.00
Each additional \$1,000.00 or fraction, to and including \$15,000.00	2.00
Each additional \$1,000.00 or fraction, to and including \$50,000.00	1.00
Each additional \$1,000.00 or fraction exceeding \$50,000.00	0.50
Moving a building as provided in Section 3	2.00

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. 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 erection, but said sheds must be removed upon the completion of such building or buildings.

Section 3. No building within the city of Bend shall be moved without the permission of the building inspector and fire chief. No permission shall be given to move any building into or within the fire limits unless such building shall comply with the fireproof 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 were 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 to third 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 therefor has been granted.

Section 4. Before any tents or canvas houses shall be erected within the city limits of Bend, the owner shall secure a building permit therefor from the recorder, as herein provided; provided, however, that sleeping tents near 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 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:

Beginning at the northeast corner of the intersection of Georgia Avenue and Wall Street, being the southwest corner of Block 22, Deschutes Addition; thence north in Wall Street to the southeasterly corner of Block 22, in Park Addition; thence northwesterly along the south line of said Block 22 to an intersection with the center line of the alley; thence northeasterly in the center line of said alley to the southerly corner of Lot 1, Block 3, Bend Original; thence northwesterly to the northwesterly line of Bend Original; thence northeasterly along the northwesterly line of said Lot 1 and the northwesterly line of Block 2, Bend Original, to the center line of Newport Avenue; thence northwesterly to the easterly bank of the power company dam and Deschutes River; thence following the easterly line of the pond and the easterly line of the Deschutes River to the center line of Portland Avenue; thence easterly in the center line of Portland Avenue to the center line of Hill Street; thence southerly in Hill Street to the intersection of the center line in Norton Avenue; thence easterly in said Norton Avenue to the west line of the Oregon Trunk Railroad; thence northerly along said right of way to the north line of Tract 21, Lytle Acre Tracts; thence easterly along the north line of Tract 21, 22 and 23 of said Lytle Acre Tracts to an intersection with the center line of the Pilot Butte Canal; thence southerly along the center line of said canal to an intersection with the center line of the alley running through Block 15 projected westerly at or near the west line of Second Street; thence easterly in said alley through said Block 15 to the center line of Third Street; thence southerly in Third Street to an intersection with the center line of the alley in Block 19, Center Addition, projected westerly; thence easterly in said alley of said Block 19 to a point north of the northeast corner of Lot 15, said Block 19; thence southerly to the southeast corner of Lot 15, Block 20, Center Addition, being on the north line of Irving Avenue; thence westerly along the north line of said Irving Avenue to an intersection with the center line of the Pilot Butte Canal; thence following the center line of said Pilot Butte Canal southerly to an intersection with the west line of the Oregon Trunk Railroad; thence northerly along the said west line of the right of way to the east line of Division Street to an intersection with the east line of Division Street and the north line of Park Place; thence following the east line of said Division Street to an intersection with the center line of Block 26, Bend Original, projected easterly; thence west in alley through Block 26 and 21 of Bend Original to the center line of Harriman Street; thence southerly

in the center line of Harriman Street to the northline of Hawthorne Avenue projected westerly; thence southwesterly following the center line of Lava Road to a point in the center line of Kansas Avenue near the northeasterly corner of Block 26, Park Addition; thence south to a point in said Lava Road just east of the southeast corner of Block 24, Deschutes, and being on the north line of Georgia Avenue projected east; thence west along the north line of Georgia Avenue to the place of beginning.

Also the Neighborhood-Commercial on the west side of the river at Galveston and Columbia

Beginning at the southwest corner of Lot 18, Block 6, Highland Addition, said point being on the east line of the alley of said Block 6; thence north along the east line of said alley to an intersection with the center line of Hartford Avenue; thence in the center line of Hartford Avenue east to an intersection with the center line of the alley in Block 28, Boulevard Addition projected north; thence south in the center line of alley to the center line of Galveston Avenue; thence in the center line of Galveston Avenue east to an intersection of the center line of Harmon Boulevard; thence in the center line of said Harmon Boulevard southwesterly to an intersection with the south line of Lot 3 projected east; thence west to the place of beginning.

Unless otherwise specified, the center line of the streets, alleys, and public ways above mentioned is intended in all cases.

Section 6. The walls of all buildings hereafter erected within the fire limits of the city of Bend shall be of brick or other noncombustible material, and the roof thereof shall be constructed in accordance with the terms of this ordinance.

Section 7. 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 8. The roofs of all buildings hereafter erected within the fire limits, and the roofs of all brick and stone buildings hereafter erected in said city, other than buildings used exclusively for residential purposes, shall be covered with metal, slate, tile, terra cotta, or such other material as may be approved as fire-proof by the city inspector.

Section 9. Whenever, in the judgment of the city inspector, the roof of any building within the fire limits shall be or become damaged to the extent of 40 percent of the value thereof, then said roof shall be re-roofed with the same material as set forth in section 8 of this ordinance.

Section 10. 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 chimney inspector, and it shall be the inspector's duty to inspect all chimneys, flues, and buildings hereafter erected, remodeled, or altered.

Section 11. 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 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.

Section 12. 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 city inspector to see that this section is enforced.

Section 13. 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 misdemeanor and upon conviction thereof shall be fined not more than \$25 for each offense and everyday of maintenance of prohibited conditions shall constitute a separate offense.

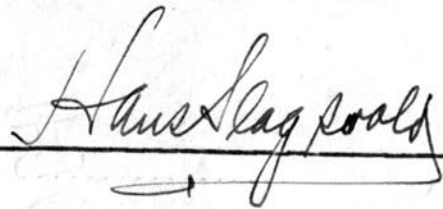
Section 14. All provisions of the Uniform Building Code of the Pacific Coast Building Officials Conference not in conflict with this ordinance or the laws of the state of Oregon, are hereby adopted in full as the building code of the city of Bend, and all buildings hereafter erected, altered or repaired 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 amendments to the said Uniform Building Code in effect at the time of the passage of this ordinance, or any such amendments to said Uniform Building Code and the laws of the state of Oregon which may be adopted hereafter.

Section 15. The invalidity of any section, part of section, or provisions of this ordinance shall not invalidate any other section, part of section, or provision hereof.

Section 16. Ordinances NS 281, NS 299, NS 324 and NS 334 and all other ordinances in conflict herewith are hereby repealed.

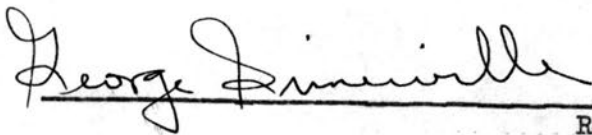
Read for first time February 4, 1948.
Read for second time March 3, 1948.
Placed upon its passage March 3, 1948.
Yeas: 6
Nays: 0

Submitted to and approved by the mayor this 3rd day of March, 1948.



Mayor

Attest:



Recorder

ORDINANCE NO. N.S. 351

An ordinance granting to OREGON TRUNK RAILWAY, a corporation, a revocable permit to construct, lay down, and maintain a standard gauge railroad spur track across First Street in the City of Bend, Oregon.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That a revocable permit be and is hereby granted to Oregon Trunk Railway, a corporation, to construct, lay down, and maintain a standard gauge spur railway track across First Street, the center line of said spur track being described as follows:

Beginning at a point on the west line of First Street N. $0^{\circ} 58'$ E. 542.2 feet from the north-west corner of First Street and East Greenwood Avenue in Bend, Oregon, and being at engineer's station $0+76.5$ of said spur track, thence S. $7^{\circ} 30'$ E. 13.5 feet, thence on a $10^{\circ} 0'$ curve to the left 96.0 feet through an angle of $9^{\circ} 36'$ the long chord of said 10° curve bears S. $12^{\circ} 18'$ E., thence S. $17^{\circ} 06'$ E. 53.8 feet, thence on a 10° curve to the right 86.7 feet, the long chord of said 10° curve bears S. $12^{\circ} 46' 04''$ E. to a point on the south line of E. Kearney Avenue, said point being S. $89^{\circ} 02'$ E. 1.35 feet from the S. E. Corner of First Street and E. Kearney Avenue.

Section 2. Said track shall be laid as nearly as possible to the established grade of the street.

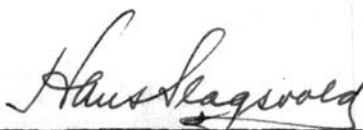
Section 3. This permit shall be revocable at the pleasure of the Commission.

Read first time May 5, 1948.
Read second time May 19, 1948.


PASSED the Commission May 19, 1948.

Yeas: 6 Nays: 0

Approved May 19, 1948.



Hans Slagsvold
Mayor

Attest: 
Recorder of the City of Bend

ORDINANCE NO. N. S. 352

*NS-352 repealed by
NS-1496, passed 7-15-89*

TO PROVIDE FOR THE GOVERNMENT, MAINTENANCE AND USE OF THE CITY CEMETERY:

THE City of Bend does ordain as follows:

Section 1. That the municipal cemetery is hereby named "Pilot Butte Cemetery".

Section 2. The City Manager is hereby directed and authorized to cause a tract of land, to be described as follows:

SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33, T. 17 S., R. 12 E., W. M., and
all of Blocks 1, 2, 5, 6, 7, 8 and 9, Bend Park, and all
of Blocks 124, 125, 126, and 127 in First Addition to Bend Park.

to be laid off into proper streets and alleys, and to have a plat of said plot, so laid off, made and recorded in the office of the County Clerk of Deschutes County. Said plat shall be officially designated as "Section One of Pilot Butte Cemetery".

It shall be the duty of the City Commission to make such rules and regulations as are necessary for the proper care, protection, and government of the cemetery and for the guidance and control of the sexton, not in conflict with the provisions of this ordinance. It shall be the duty of the City Manager to see that the provisions of this ordinance and such rules and regulations as made by the City Commission are properly enforced and obeyed. The said Manager is hereby empowered and directed to draw up regulations and fix a schedule of annual maintenance fees, permanent maintenance charges, lot openings and prices for which lots or spaces in the cemetery may be sold, which said schedule and regulations shall be approved by the City Commission, and said schedule and regulations may by the City Manager upon the approval of the Commission, be at any time amended. Upon approval of the Commission as above provided, said schedule or amendment shall be filed with the Recorder and shall thereafter be followed and shall govern in the sale and maintenance of all lots in the cemetery until the filing of the next succeeding schedule, as in this ordinance provided.

Section 3. It shall be the duty of the sexton to keep in a register provided for that purpose a record showing in proper column:

The name of the deceased.

Date of Burial or disinterment.

Number of lot in which burial or from which disinterment is made.

Number of permit.

The sexton shall keep an up-to-date map of the cemetery showing all burials properly marked on said map.

It shall be his duty to prepare all graves or to cause them to be prepared, and he shall attend to all duties appertaining to his office at the interment of bodies. It shall be his duty upon proper application to disinter, or cause to be disinterred, all bodies. All graves within the limits of the cemetery must be opened and closed by the sexton or someone specifically authorized by him. He shall set, or supervise the setting, of all markers, stones, or monuments in the cemetery.

Section 4. Every conveyance of a lot or grave space in the cemetery shall be by certificate executed by the Mayor and attested by the Recorder, under the seal of the City; but such conveyance shall only have the effect of giving the perpetual use of a lot for burial purposes subject to the laws of the state and the rules and regulations made by the City of Bend for the government thereof. Said certificate will not be issued unless price of said space or lot is paid in full including permanent maintenance.

Section 5. The Recorder is hereby empowered to sell spaces in the cemetery at prices fixed by aforementioned price schedule and must, before issuing the permit mentioned in Section 4 of this Ordinance, collect the price of space and opening for said burial. No permit shall be issued to anyone who owes the City for unpaid cemetery maintenance or any unpaid balance on lots purchased at a prior time. The Recorder shall, in a file kept for that purpose, keep a record of all certificates issued, giving name of purchaser, date of sale, number of space and price of each space or spaces.

Section 6. Whenever an interment is to be made, application must be made to the Recorder, and a permit obtained therefor. This permit must state the following particulars:

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

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

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

Section 7. A record shall be kept by the Recorder of all burial permits issued by him, which record shall contain:

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

Section 8. In order that the general beauty and attractiveness of the cemetery may be preserved and promoted, and that the improvements of individual lots may contribute thereto, the sexton shall under the direction of the City Manager have entire charge of the planting of trees and shrubs and the maintenance or trimming thereof in accordance with the general plan for the ornamentation of the grounds. And if any tree or shrub standing in any lot, whether planted by direction of the sexton or otherwise, shall become by reason of its roots, branches or otherwise, detrimental to adjacent lots or avenues, or for any other reason, its removal shall become necessary or advisable, the sexton shall have the right and it shall be his duty to remove such trees or shrubs or any part thereof.

Section 9. Any person who shall injure, remove or deface any headboard, tombstone, monument, tree, shrub, fence or any property in said cemetery, shall be deemed guilty of a misdemeanor, and shall upon conviction before the Municipal Judge be punished by a fine in any sum not exceeding One Hundred Dollars (\$100.00) or by imprisonment not exceeding twenty-five days, or by both fine and imprisonment.

Section 10. In order to maintain the cemetery lawn and grounds properly, an annual maintenance charge shall be billed to owners of cemetery spaces. If said owners are deceased, then the near relatives of said owners shall be billed. In cases where said owners or near relatives of said owners neglect to pay annual maintenance charges, the Recorder may, after 10 days notice by publication once in a newspaper published in the City of Bend, sell all unused spaces and apply the proceeds received therefrom as a credit to maintenance charges on the remaining used spaces if there be such.

Section 11. A permanent maintenance cemetery fund shall be established and receipts from permanent maintenance sales shall be credited to this fund. This fund shall be safely invested with the approval of the City Commission, and all interest earned by said fund shall be credited to the annual cemetery income account and used to help defray the cost of cemetery upkeep each year. The prices for permanent maintenance shall be stated in the schedule mentioned in Section 4.

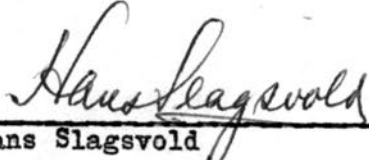
Section 12. In Blocks A, B, C, D, E, F, G, H, and I, either monuments or markers may be erected. In Blocks K and J flat markers only may be erected except in Lots 16 to 21 incl., Block J, and Lots 21 to 30, incl., Block K where either monuments or flat markers may be erected.

Section 13. All ordinances or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed.

Read for the first time September 1, 1948.
Read for the second time September 15, 1948.
Placed upon its passage September 15, 1948.

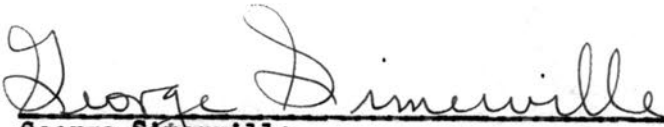
Yeas: 7
Nays: 0

Submitted to and approved by the Mayor this 15th day of September, 1948.



Hans Slagsvold
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE NO. NS 353.

AN ORDINANCE to provide for the issuance and sale of City of Bend Swimming Pool Bonds in the sum of Seventy Five Thousand Dollars (\$75,000.00) for the purpose of providing funds with which to construct and equip a swimming pool, providing the form of said bonds, and for the advertisement and sale thereof, and declaring an emergency.

WHEREAS, at an election duly called and held in the City of Bend, Oregon, on the 17th day of May, 1948, the Council of said City was duly authorized and empowered to issue and sell bonds in the sum of Seventy-five Thousand Dollars (\$75,000.00) to procure funds with which to construct and equip a swimming pool; and

WHEREAS, it is necessary at this time to issue and sell said bonds in the sum of Seventy-five Thousand Dollars (\$75,000.00) in order to provide said improvements, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:-

Section 1. That the City of Bend do issue its bonds in the sum of Seventy-five Thousand Dollars (\$75,000.00) par value in amount, said bonds to be in denominations of One Thousand Dollars (\$1,000.00) each, numbered from 1 to 75, inclusive, to be dated December 1, 1948, and to mature serially in numerical order at the rate of Five Thousand Dollars (\$5,000.00) on the 1st day of December in each of the years 1950 to 1964, inclusive; provided, that all bonds which mature thereafter, shall be subject to call and redemption on December 1, 1955, and on any interest paying date thereafter, said bonds to bear interest at the rate of not to exceed six per cent (6%) per annum, payable semi-annually on the 1st day of June and December in each year, principal and interest to be payable in lawful money of the United States at the

office of the City Treasurer of the City of Bend, Oregon, said bonds to be signed by the Mayor and countersigned by the Recorder under the corporate seal of said City, the interest of said bonds to be represented by semiannual interest coupons attached thereto bearing the facsimile signatures of said Mayor and Recorder, which said bonds shall be known as "City of Bend Swimming Pool Bonds".

Section 2. That the said City of Bend Swimming Pool Bonds and the coupons attached thereto shall be in substantially the following form:-

No. _____

\$ 1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
DESCHUTES COUNTY
CITY OF BEND SWIMMING POOL BOND

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

ONE THOUSAND DOLLARS

on the 1st day of December, 1948, with interest thereon at the rate
of _____ per cent (___%) per annum, payable semiannually on the 1st
day of June and December in each year, to the bearer of the respective
coupons therefor hereto attached upon presentation and surrender
thereof as they mature, both principal and interest being payable in
lawful money of the United States of America at the offices of the
City Treasurer of the City of Bend, Oregon.

This bond is one of an issue of like date and tenor, except
as to maturities, aggregating Seventy-five Thousand Dollars (\$75,000.00),
par value in amount, authorized by an amendment to the charter of said
City, duly submitted to and approved by the legal voters of said City
at an election held for said purpose on the 17th day of May, 1948,
after due notice given, at which said election an indebtedness in said
sum, together with interest thereon was authorized by the legal voters
of said City, to be created for the purpose of procuring funds with
which to construct and equip a swimming pool for said City.

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

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 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 to bear the facsimile signatures of said Mayor and Recorder this 1st day of December, 1948.

Mayor

Countersigned

Recorder

On the face of all bonds which mature after 1955, there shall be added a paragraph to read as follows:

"This bond is subject to call and redemption on December 1, 1955, and on any interest paying date thereafter."

(COUPON)

No. _____

June
On the 1st day of December, 19____, City of Bend, Deschutes
County, Oregon, will pay to bearer -

_____ Dollars
in lawful money of the United States of America at the office of
the City Treasurer of the City of Bend, Oregon, for six months'
interest then due on City of Bend Swimming Pool Bond dated
December 1, 1948, No. _____.

Mayor

Countersigned:

Recorder

At the end of all coupons coming due after December 1, 1955
there shall be added after "No. _____." the following:

"Unless said bond is sooner redeemed as therein
provided, which redemption will render this coupon
void."

Section 3. The Council shall each year make a tax levy in an amount sufficient to pay the principal of and interest on said bonds as the same become due.

Section 4. The Recorder is hereby instructed to advertise the aforesaid bonds for sale at the Council meeting to be held on the 23rd day of November, 1948, at the Council Chambers in the City of Bend, by publishing a notice of sale in The Bend Bulletin, once each week for two successive weeks before the said date of sale.

Section 5. WHEREAS, the aforesaid bonds have been heretofore authorized at an election and work on said improvement is in progress and funds must be obtained to pay the costs thereof, and it is necessary for the peace, health, and safety of the inhabitants of the City that this ordinance take immediate effect, now, therefore,

AN EMERGENCY is hereby declared to exist and this ordinance shall go into force and effect immediately upon its passage and approval.

Passed by the Council this 3rd day of November, 1948, by the following vote:

YEAS: 6

NAYS: 0

Submitted to and approved by the Mayor this 3rd day of ~~October~~ NOVEMBER October, 1948.

Hans Kogwald
Mayor

Countersigned:

George Dimmille

CITY OF BEND
ORDINANCE NO. N.S. 354

An Ordinance relating to sick leave and providing a uniform plan under the control of the Bend City Commission.

Be it ordained by the City of Bend as follows:

Section I. Cumulative sick leave with pay at the rate of one day per month shall be credited to all full time officers and employes of the City of Bend. The total accumulation of sick leave shall not exceed 60 days at full pay.

Section II. An initial accumulation of sick leave shall be granted to such officers and employes at the rate of three days per year for each year of prior service. The maximum of such initial accumulation to be 60 work days.

Section III. Officers or employes shall not be entitled to the benefits of this ordinance until they have served a probationary period of six months and become members of the Oregon Retirement System, at which time they shall be entitled to an accumulation of sick leave at the rate provided in Section I hereof from the time they entered City service.

Section IV. Officers and employes receiving disability benefits by virtue of any law or ordinance now and here after enacted shall be entitled to sick leave pay only in the amount the same exceeds the amount of such benefits.

Section V. Compensation for the day of any absence because of illness or disability incapacitating the officer or employe for the performance of duty shall be paid upon presentation to the City Manager or the City Commission of a written statement by a licensed physician stating that such absence is justified. Whenever it is deemed necessary, the City Commission may cause officers or employes to make themselves available for such investigation, medical or otherwise, as the City Commission shall see fit to have made. The services of the City health officer may be utilized and the officer or employe shall provide himself with such medical treatment or such other precautions as the City Commission shall determine necessary for an early return to duty.

Section VII. Before denying any request or application for sick leave the City Commission shall give the officer or employe an opportunity to be heard and its decision shall be final. The City Manager is hereby authorized to make the necessary rules and regulations to enforce and administer the provisions of this ordinance upon proper approval by the City Commission and shall keep and maintain a complete record of sick leave credits and furnish any necessary forms.

Section VIII. Any officer or employe fraudulently obtaining sick leave may be suspended or discharged without further cause.

Read for the first time January 5, 1949.
Read for the second time January 19, 1949.
Placed upon its passage January 19, 1949.

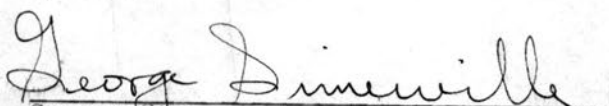
Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 19th day of January, 1949.



T. D. Sexton
Mayor

Attest:



George Simerville
Recorder of the City of Bend

N.S. 354
Effective January 1, 1949

12, of said Addition and the west boundary of Blocks 12, 13 and 14 of Bend Park, City of Bend, Deschutes County, Oregon.

6. Those alleys extending east and west located in Blocks one (1), two (2), five (5), six (6), seven (7), eight (8), eleven (11) and twelve (12), Northwest Townsite Company's First Addition.

be and the same is hereby vacated.

Read for the first time February 16, 1949.

Read for the second time March 2, 1949.

Placed upon its passage March 2, 1949.

Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 2nd day of March, 1949.



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE NO. N.S. 355

An ordinance vacating all that portion of the following described streets and alleys located in that portion of Northwest Townsite Company's First Addition, City of Bend, Deschutes County, Oregon, more particularly described as:

1. That portion of East DeKalb Avenue from East Sixth Street, extending East to East Eighth Street, constituting the south boundary of Blocks 1 and 2 and the north boundary of Blocks 5 and 6, of Northwest Townsite Company's First Addition.
2. That portion of East Clay Avenue from Sixth Street, extending East to East Woodland Boulevard, which street constitutes the south boundary of Blocks 5 and 6 and the north boundary of Blocks 7 and 8, of said Addition.
3. That portion of East Burnside Avenue from East Sixth Street, extending East to East Woodland Avenue, said street constitutes the south boundary of Blocks 7 and 8 and the north boundary of Blocks 11 and 12 of said addition.
4. That portion of East Seventh Street from East Emerson Avenue, extending south to East Alden Avenue, said street constituting the east boundary of Blocks 2, 5, 8 and 11 of said Addition, and the west boundary of Blocks 1, 6, 7 and 12 of said Addition.
5. That portion of East Eighth Street from East Emerson Avenue, extending south to East Alden Avenue, which street constitutes the east boundary of Blocks 1, 6, 7 and 12 of said Addition, and the west boundary of Blocks 12, 13 and 14 of Bend Park, City of Bend, Deschutes County, Oregon.
6. Those alleys extending east and west located in Blocks One (1), Two (2), Five (5), Six (6), Seven (7), Eight (8), Eleven (11), and Twelve (12), Northwest Townsite Company's First Addition.

WHEREAS the City Commission of the City of Bend heretofore on the 5th day of January, 1949, duly and regularly initiated the vacation proceedings to vacate the alleys and streets above described, and

WHEREAS the City Commissioners having considered said vacation, proceedings and was found to be in order and to meet the requirements of the law regulating the vacation of streets and alleys, and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend at 7:30 O'clock p. m. on the 16th day of February, 1949, at which hearing no objections or remonstrances to such proposed vacation was presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the following portions of the following described streets and alleys in that portion of Northwest Townsite Company's First Addition, City of Bend, Deschutes County, Oregon, more particularly described as follows:

1. That portion of East DeKalb Avenue from East Sixth Street, extending East to East Eighth Street, constituting the south boundary of Blocks 1 and 2 and the north boundary of Blocks 5 and 6, of Northwest Townsite Company's First Addition.
2. That portion of East Clay Avenue from Sixth Street, extending east to East Woodland Boulevard, which street constitutes the south boundary of Blocks 5 and 6 and the north boundary of Blocks 7 and 8, of said Addition.
3. That portion of East Burnside Avenue from East Sixth Street, extending east to East Woodland Boulevard, said street constitutes the south boundary of Blocks 7 and 8 and the north boundary of Blocks 11 and 12 of said Addition.
4. That portion of East Seventh Street from East Emerson Avenue, extending south to East Alden Avenue, said street constituting the east boundary of Blocks 2, 5, 8 and 11 of said Addition, and the west boundary of Blocks 1, 6, 7 and 12 of said Addition.
5. That portion of East Eighth Street from East Emerson Avenue, extending south to East Alden Avenue, which street constitutes the east boundary of Blocks 1, 6, 7 and

ORDINANCE NO. N.S. 356

An ordinance vacating a portion of West Kingston Avenue located in that portion of Northwest Townsite Company's Second Addition, Bend, Deschutes County, Oregon, described more particularly as:

That portion of West Kingston Avenue between West Twelfth and West Thirteenth Streets of Northwest Townsite Company's Second Addition to Bend; said street constituting the south boundary of Block 19, and the north boundary of Block 26 in said Addition, City of Bend, Deschutes County, Oregon.

WHEREAS, The City Commission of the City of Bend, heretofore on the 5th day of January, 1949, duly and regularly instigated the vacation proceedings to vacate the street above described, and

WHEREAS said proceedings were found to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend at 7:30 o'clock p. m. on the 16th day of February, 1949, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of that portion of West Kingston Avenue located in Northwest Townsite Company's Second Addition to Bend, Deschutes County, Oregon, described as:

That portion of West Kingston Avenue between West Twelfth and West Thirteenth Streets of Northwest Townsite Company's Second Addition to Bend; said street constituting the south boundary of Block 19, and the north boundary of Block 26 in said Addition, City of Bend, Deschutes County, Oregon

be and the same is hereby vacated.

Read for the first time February 16, 1949.

Read for the second time March 2, 1949.

Placed upon its passage March 2, 1949.

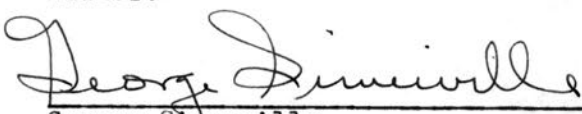
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 2nd day of March, 1949.



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE N.S. NO. 357

AN ORDINANCE TO AMEND ORDINANCE NO. N.S. 288 BY ADDING THERETO AN ARTICLE PROVIDING FOR THE LICENSING OF SHUFFLE BOARDS.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

ARTICLE XIa

Section 1. It shall be unlawful for any person to operate a shuffle board for hire within the corporate limits of the City of Bend without first obtaining a license therefor.

Section 2. The license fee for operation of shuffleboards in the City of Bend shall be \$6 per quarter or fraction thereof for each board.

Read for the first time February 16, 1949.

Read for the second time March 2, 1949.

Placed upon its passage March 2, 1949.

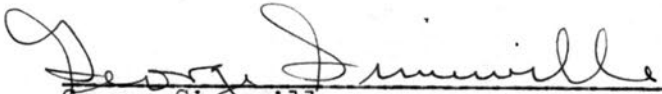
Yeas: 7

Nays: 0

Approved by the Mayor this 2nd day of March, 1949.


T. D. Sexton
Mayor

ATTEST:


George Simerville
Recorder of the City of Bend

ORDINANCE NO. N.S. 358

*NS-358 repealed by
NS-1498, passed 7-15-89*

An Ordinance to provide for the regulation of the dispensing of flammable liquids; and providing penalties for violations.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The following terms as used in this ordinance shall mean:

1. "Service Station" means any garage, filling station, or other place, where flammable liquids are kept for the purpose of the dispensing of such liquids into the fuel tanks of motor vehicles, or other containers, of others.
2. "Owner" means any person, firm, corporation, copartnership, association or organization, conducting or maintaining any service station, whether as lessee, operator or owner.
3. "Employee" means one duly authorized by the owner to operate and use flammable liquid dispensing equipment at any service station.
4. "Flammable Liquid" means any liquid having a flash point below 25 degrees Fahrenheit, closed cup tester.

Section 2. It shall be unlawful for any person, other than an owner or employe, to operate or use, or for such owner or employe to permit any such person to operate or use, any flammable liquid dispensing equipment at any service station.

Section 3. Any person violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine of not more than \$100, or by imprisonment in the city jail for a period of not more than 50 days, or by both such fine and imprisonment. The court may, in its discretion, as an additional penalty, in the case of any owner or employe, cancel the permit of such owner to operate such service station.

Read for the first time February 16, 1949.
Read for the second time March 2, 1949.
Placed upon its passage March 2, 1949.


Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 2nd day of March, 1949.



T. D. Sexton
Mayor

Attest:



Recorder of the City of Bend

N.S. 358

ORDINANCE NO. N.S. 359

AN ORDINANCE TO AMEND ORDINANCE N.S. NO. 342 BY CHANGING THE ZONE CLASSIFICATION OF A CERTAIN DISTRICT.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The following described territory heretofore zoned as R-1 Residence District is hereby rezoned as C-2 Tourist-Commercial District, to-wit:

Starting at the north city limits at East Second Street; thence south on East Second Street to the railroad; thence along the railroad to Thurston Avenue; thence west to the alley between East First Street and Division Street; thence north to Xerxes Avenue; thence west on Xerxes Avenue to the west side of Lot nine in Block seven of Orokla; thence north to the city limits; and thence east along said city limits to the point of beginning.

Read for the first time February 16, 1949.

Read for the second time March 2, 1949.

Placed upon its passage March 2, 1949.

Yeas: 7

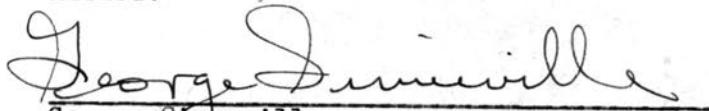
Nays: 0

Approved by the Mayor this 2nd day of March, 1949.



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE NO. N. S. 360

An ordinance vacating a portion of an alley in Block 2 and a portion of an alley in Block 3 and a portion of Kearney Avenue and a portion of Lafayette Avenue located in that portion of Center Addition, Bend, Deschutes County, Oregon, described more particularly as:

All of the Alley in Block 2, Center Addition, lying west of the Pilot Butte Canal, westerly right of way line and all of the Alley in Block 3, Center Addition, lying west of the Pilot Butte Canal, westerly right of way line, and Kearney Avenue from the east line of East First Street to the west line of the Pilot Butte Canal westerly right of way line and Lafayette Avenue from the east line of East First Street to the west line of the Pilot Butte Canal westerly right of way line, Bend, Deschutes County, Oregon.

WHEREAS, The City Commission of the City of Bend, heretofore on the 19th day of January, 1949, duly and regularly instigated the vacation proceedings to vacate the streets and alleys above described, and

WHEREAS said proceedings were found to be in order and to meet the requirements of the law regulating the vacation of streets and alleys, and

WHEREAS after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend at 7:30 o'clock p.m. on the Second day of March, 1949, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That a portion of an alley in Block 2 and a portion of an alley in Block 3 and a portion of Kearney Avenue and a portion of Lafayette Avenue located in that portion of Center Addition, Bend, Deschutes County, Oregon, described as:

All of the Alley in Block 2, Center Addition, lying west of the Pilot Butte Canal, westerly right of way line and all of the Alley in Block 3, Center Addition, lying west of the Pilot Butte Canal, westerly right of way line and Kearney Avenue from the east line of East First Street to the west line of the Pilot Butte Canal westerly right of way line, and Lafayette Avenue from the east line of East First Street to the west line of the Pilot Butte Canal westerly right of way line, Bend, Deschutes County, Oregon,

be and the same is hereby vacated.

Read first time 2nd day of March, 1949.

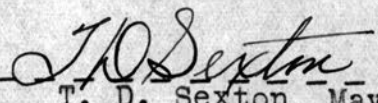
Read second time 16th day of March, 1949.

Put upon its passage 16th day of March, 1949.

Yeas: 6

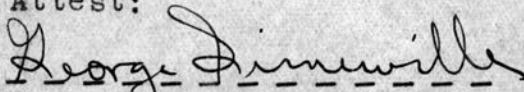
Nays: 0

Submitted to and approved by the Mayor this 16th day of March, 1949.



T. D. Sexton, Mayor

Attest:



Recorder of the City of Bend

DUNGAN L. MCKAY
ATTORNEY AT LAW
BEND, OREGON

AN ORDINANCE TO AMEND ORDINANCE NS NO. 137 PROVIDING FOR THE REGULATION OF DANCING AND DANCE HALLS IN THE CITY OF BEND AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Sections 8, 9, 10 and 11 of Ordinance NS No. 137 be and they are hereby amended to read as follows:

Section 8. No permit issued under the provisions of this ordinance shall be transferred unless the chief of the police department gives consent thereto.

Section 9. Every permit shall be given subject to the condition and provision that the chief of the 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 admission thereto at any and all times while such dance is in progress, and it shall be the duty of the chief of the police department to faithfully visit all dances for which permits have been issued 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 police to forthwith suspend any permit and cause any dance being held to be discontinued or terminated and the place where same is being held to be vacated when any violation of the provisions hereof 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 a permit to continue until a time specified in such permit may be granted by the chief of police, but no tickets shall be sold or accepted for admission to such dance hall after the hour of twelve o'clock midnight.

Read first time April 6, 1949.

Read second time and placed upon its passage April 20, 1949.

Yeas 7 Nays 0

T. D. Sexton
T. D. Sexton
Mayor

ATTEST:

George Simerville
George Simerville
Recorder of the City of Bend

ORDINANCE NO. N.S. 362

An ordinance vacating the alley in Blocks One Hundred Twenty-nine and One Hundred Forty-seven in Second Addition to Bend Park and all that portion of Taft Avenue from the east line of South Fourth Street to the west line of South Fifth Street.

WHEREAS, the Commission of the City of Bend heretofore and on April 6, 1949, adopted a resolution of intention to vacate the street and alley above described, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall in Bend, Oregon, at eight o'clock p. m. of May 18, 1949, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of the alley in Blocks One Hundred Twenty-nine and One Hundred Forty-seven in Second Addition to Bend Park and all that portion of Taft Avenue from the east line of South Fourth Street to the west line of South Fifth Street be and the same is hereby vacated.

Read for the first time May 18, 1949.

Read for the second time June 1, 1949.

Placed upon its passage June 1, 1949.

Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 1st day of June, 1949.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

George Simerville

George Simerville
Recorder of the City of Bend

ORDINANCE NS NO. 363

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON TO ENTER ANY PUBLIC SWIMMING OR WADING POOL DURING HOURS WHEN SAME IS CLOSED TO THE PUBLIC.

Section 1. It shall be unlawful for any person, other than an employee of the City of Bend in course of his employment, to enter any public swimming or wading pool; the enclosure surrounding same, or the buildings and other facilities maintained in connection therewith at any time when such swimming or wading pool is not open to the public.

Section 2. Any person found guilty of violating this ordinance shall be punished by a fine of not to exceed \$100.00.

Since the City of Bend has recently constructed and placed in operation a public swimming pool and a public wading pool the preservation of the public health and safety requires the enactment of this measure and an emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage.

Read first time July 6, 1949.

Read second time and placed upon its passage July 20, 1949.

Yeas: 7

Nays: 0

J. O. Sexton

Mayor.

Attest: *George Dinnerville*
Recorder of the City of Bend.

ORDINANCE NS NO. 364

AN ORDINANCE DEFINING THE IRRIGATION SEASON IN THE CITY OF BEND, AUTHORIZING THE CITY MANAGER TO FIX HOURS FOR USE OF WATER FOR IRRIGATION, PROVIDING A PENALTY FOR VIOLATION THEREOF AND REPEALING ORDINANCE NS 121.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The irrigation season in the City of Bend for the irrigation of lawns and gardens shall extend from April 1st to November 1st of each year.

Section 2. The City Manager is hereby authorized and empowered to fix and determine hours during which city water may be used for irrigation of lawns and gardens during the irrigation season.

Section 3. Existing regulations for hours of irrigation shall continue until change is made by action of the City Manager which shall be by written declaration filed with the Recorder specifying the hours during which irrigation is to be permitted. Notice of changes shall be given by publication once in a newspaper published in the City of Bend not less than 48 hours prior to the effective day and hour thereof and such changes when so made shall remain effective until a new declaration of changes shall have been filed and notice thereof given as above provided.

Section 4. No hose shall be used for irrigation without having a nozzle or other water distributing device attached thereto.

Section 5. Upon the sounding of an alarm for a fire within the city water users shall cease irrigation until the fire is extinguished.

Section 6. It shall be unlawful for any person to use water for irrigation at any hour other than as permitted under regulations issued hereunder or to permit water used for irrigation to flow into or upon any public thoroughfare or upon or over premises not under his control.

Section 7. Any person violating any of the provisions of this ordinance or regulations placed in effect by authority hereof shall upon conviction be punished by a fine of not more than \$25.00.

Section 8. Ordinance NS 121 is hereby repealed.

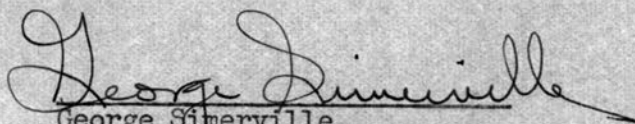
Since there is a grave shortage of water for irrigation purposes and the season of greatest need is at hand an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage.

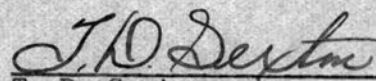
Read for the first time July 20, 1949.
Read for the second time August 3, 1949.
Placed upon its passage August 3, 1949.

Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 3rd day of August, 1949.

Attest:


George Simerville,
Recorder of the City of Bend



T. D. Sexton,
Mayor

ORDINANCE NO. NS 365

AN ORDINANCE AMENDING SECTION 8 OF ARTICLE XV OF ORDINANCE NS 288 FIXING HOURS DURING WHICH WOOD SAWS MAY BE OPERATED IN THE CITY OF BEND.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Section 8 of Article XV of Ordinance NS 288 be and the same is hereby amended to read as follows:

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 no wood saw whether stationary or otherwise shall be operated except between the hours of seven a. m. and eight p. m. on week days and no wood saw shall be operated on Sundays.

Read for the first time August 3, 1949.

Read for the second time August 17, 1949.

Placed upon its passage August 17, 1949.

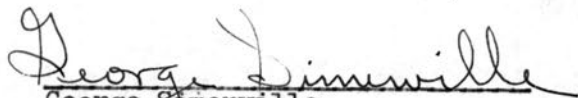
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 17th day of August, 1949.



T. D. Sexton,
Mayor

ATTEST:



George Simerville,
Recorder of the City of Bend

ORDINANCE NO. N.S. 366

AN ORDINANCE PROVIDING FOR THE REGULATION, OPERATION, PARKING, LICENSING, TRANSFERRING, AND RENTAL OF BICYCLES WITHIN THE CITY OF BEND, FIXING A PENALTY FOR THE VIOLATION THEREOF, DECLARING AN EMERGENCY AND REPEALING ORDINANCE NS 270.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. No person shall ride or operate a bicycle upon any street, alley, or public place within the corporate limits of the City of Bend at any time when there is not sufficient light to render clearly discernible any person on the streets a distance of two hundred feet ahead unless the bicycle is equipped with a lighted lamp affixed on the front of said bicycle visible from a distance of at least two hundred feet in front of the bicycle and also with a reflex mirror or lighted lamp on the rear of the bicycle exhibiting a red light visible from a distance of at least two hundred feet to the rear of the bicycle.

Section 2. No person shall operate or ride a bicycle upon any street, alley, or public place in the City of Bend with two or more persons upon the same bicycle; without said bicycle is 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 or footbridge 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 the 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 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 those provisions thereof that by their very nature can have no application.

Section 7. It shall be unlawful for any person to run or engage in or cause another to run or engage in a bicycle race on any street, alley, or public place within the corporate limits of the City of Bend, except under permit from the Chief of Police of said City and under his supervision.

Section 8. PARKING -- It shall be unlawful for any person to place or park any bicycle upon the streets, alleys or public places in the City, except in those places, zones and designated parking spaces provided by the City, for the exclusive parking of bicycles, and it shall be unlawful for any person to place, park or leave any bicycle within any doorway, entranceway or passageway to any building or business establishment in the City.

Section 9. LICENSE REQUIRED -- It shall be unlawful for any person to operate or use a bicycle propelled wholly or in part by muscular power upon any of the streets, alleys or public highways of the City of Bend without having an unexpired license therefor; such license to be procured from the Chief of Police of said City.

Section 10. LICENSE ISSUED -- The Police Department is hereby authorized and directed to issue, upon written application, bicycle licenses which shall be effective for one calendar year, commencing with the first day of January and ending the 31st day of December of each year. Said licenses when issued shall entitle the licensee to operate such bicycle for which said license has been issued upon the streets, alleys and public highways, exclusive of the sidewalks thereof, in the City.

Section 11. LICENSE PLATES -- The City of Bend shall provide each year license plates which shall be issued only to owners of bicycles together with a registration card, all to be issued by the Chief of Police or assistant designated by him.

Section 12. DEALERS, REPORT OF PURCHASES AND SALES -- All persons engaged in the business of buying second-hand bicycles are hereby required to make a report to the Police Department of the purchase, giving the name, address and person from whom each bicycle is purchased, the description of each bicycle purchased, the frame number thereof and the number of the metallic license plate found thereon, if any; all persons engaged in the business of selling new or used bicycles are hereby required to make a report to the Police Department giving a list of all sales made, of each person to whom sold, the kind of bicycle sold together with a description and the frame number thereof and the number of the metallic license plate attached thereto, if any. Said reports shall be made within twenty-four hours from the date of the sale.

Section 13. TRANSFER, REPORT REQUIRED -- It shall be the duty of every person who sells or transfers ownership of any bicycle to report such sale or transfer by returning to the Police Department the registration card issued to such person as licensee thereof, together with the name and address of the person to whom said bicycle was sold or transferred. Such report shall be made within five (5) days of the date of said sale or transfer. It shall be the duty of the purchaser or transferee of such bicycle to apply for a transfer of registration therefor, within five (5) days of said sale or transfer.

Section 14. BICYCLES TO BE RENTED, LOANED OR HIRED -- All persons who rent, hire or loan bicycles shall first obtain a license tag or tags to be used on such bicycles, which tag or tags shall be attached to the bicycle. Persons requiring such tags may secure same from the Chief of Police.

Section 15. REMOVAL OF NUMBERS - DESTRUCTION OF PLATES -- No person shall wilfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licenses pursuant to this section. No person shall remove, destroy, mutilate or alter any license plate, seal or registration card during the time in which such plate, seal or card is operative.

Section 16. Any person who violates 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, or by imprisonment in the city jail for not more than 10 days or by both such fine and imprisonment. In addition to, such penalty, the municipal judge, in lieu of, or in addition to, such fine and imprisonment may impound the bicycle so used in such violation with the Chief of Police, who shall retain it for the period that the operation thereof is prohibited.

Section 17. Ordinance No. NS 270 is hereby repealed.

Read for the first time September 7, 1949.
Read for the second time October 5, 1949.
Placed upon its passage October 5, 1949.

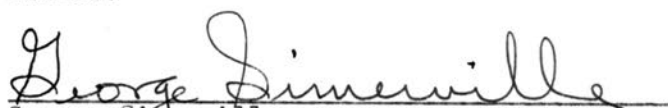
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 5th day of October, 1949.



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE N.S. 367

An ordinance vacating the alleys lying and being in Blocks 3, 4, 5, 6, 7 and 14, Bend View, Bend, Deschutes County, Oregon

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 alleys was filed with the Recorder of the City of Bend on the 7th day of September, 1949, and

WHEREAS, the said petition was considered by the City Commissioners of the City of Bend on the 7th day of September, 1949, 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 made, seconded and carried, Wednesday, the 19th day of October, 1949, at the hour of 7:30 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, said proceedings were found to be in order and to meet the requirements of the law regulating the vacation of alleys, and

WHEREAS, after due notice as required by law a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend, Oregon, at 7:30 o'clock p.m. on the 19th day of October, 1949, at which hearing no objections to such proposed vacation were presented, 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 alleys lying and being in Blocks 3, 4, 5, 6, 7, and 14, Bend View, Bend, Deschutes County, Oregon, be and the same are hereby vacated.

Read for the first time, October 19, 1949.

Read for the second time, 2nd day of November, 1949.

Put upon its passage, the 2nd day of November, 1949.

Yeas: 7

Nays: 0

Submitted to and approved by the Mayor this 2nd day of November, 1949.

J. O. Sexton
Mayor

ATTEST:

George Dimerville
Recorder of the City of Bend

ORDINANCE NO. N.S. 368

An ordinance vacating all of Pine Street and that portion of the alley in Block one of Wall Street Addition to Bend lying between the southwesterly line of Lot Twelve, extended, and the northeasterly line of Lot Five, extended.

WHEREAS, the Commission of the City of Bend heretofore and on September 21, 1949, adopted a resolution of intention to vacate the street and alley above described, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall in Bend, Oregon, at eight o'clock p.m. of November 2, 1949, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That all of Pine Street and that portion of the alley in Block One of Wall Street Addition to Bend lying between the southwesterly line of Lot Twelve, extended, and the northeasterly line of Lot Five, extended, be and the same is hereby vacated.

Read for the first time November 2, 1949.
Read for the second time November 16, 1949.
Placed upon its passage November 16, 1949.

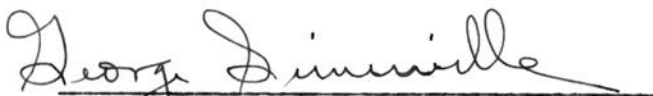
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 16th day of November, 1949.



T. D. Sexton
Mayor

Attest:;



George Simerville
Recorder of the City of Bend

ORDINANCE N.S. 369

An ordinance vacating certain portions of East Tenth Street in the City of Bend.

WHEREAS, the Commission of the City of Bend heretofore and on September 21, 1949, adopted a resolution of intention to vacate certain portions of East Tenth Street, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall in Bend, Oregon, at eight o'clock p.m. of November 2, 1949, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That those portions of East Tenth Street described as follows:

- (a) That portion lying due east of and adjacent to lot ten in block one hundred twenty-three, First Addition to Bend Park; such portion being sixty feet wide and one hundred twenty feet long;
- (b) That portion lying east of block one hundred twenty-eight First Addition to Bend Park, lying east of the east end of Emerson Avenue, and lying east of block four of Bend Park; such portion being continuous and being sixty feet wide and five hundred thirty-five feet long;
- (c) That portion lying east of lots one, fourteen, thirteen and the north forty-three and fifty-six hundredths feet of lot twelve in block ten of Bend Park; such portion being sixty feet wide and one hundred eighty-eight feet long;

be and the same are hereby vacated.

Read for the first time November 2, 1949.
Read for the second time November 16, 1949.
Placed upon its passage November 16, 1949.

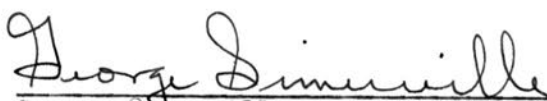
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 16th day of November, 1949.



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE N.S. 370

AN ORDINANCE PROHIBITING PERSONS WASHING OR SERVICING MOTOR VEHICLES FOR HIRE FROM PERMITTING ANY WATER, OIL OR OTHER DRAINAGE THEREFROM TO FLOW INTO ANY STREET OR ALLEY; PROHIBITING OWNERS OR OCCUPANTS OF PREMISES OPERATING AIR CONDITIONING SYSTEMS FROM PERMITTING WASTE WATER THEREFROM TO FLOW INTO ANY STREET OR ALLEY; AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person engaged in washing or servicing motor vehicles for hire in the City of Bend to permit any water, oil or other drainage therefrom to flow into any street or alley.

Section 2. It shall be unlawful for the owner or occupant of any premises in the City of Bend in which air conditioning equipment is operated to permit water therefrom to waste or discharge into any street or alley.

Section 3. Any person convicted of violating this ordinance shall be punished by a fine of not to exceed \$100.

Read for the first time November 16, 1949.

Read for the second time December 7, 1949.

Placed upon its passage December 7, 1949.

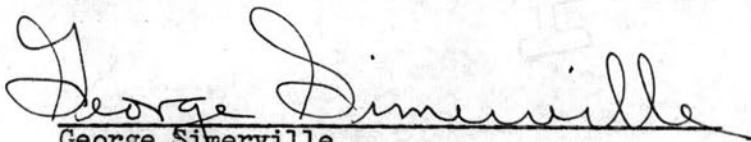
Yeas: 7

Nays: 0



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE NO. N.S. 371

An ordinance vacating that portion of the alley in Block One of Wall Street Addition to Bend lying between the northeasterly line of Lot Five, extended northwesterly, and the northerly line of Lot One extended westerly.

WHEREAS, the Commission of the City of Bend heretofore and on November 16, 1949, adopted a resolution of intention to vacate the above described portion of alley, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the Commission Chambers at the City Hall in Bend, Oregon, at eight o'clock p.m. of December 21, 1949, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That that portion of the alley in Block One of Wall Street Addition to Bend lying between the northeasterly line of Lot Five, extended northwesterly, and the northerly line of Lot One extended westerly, be and the same is hereby vacated.

Read for the first time December 21, 1949.
Read for the second time January 4, 1950.
Placed upon its passage January 4, 1950.

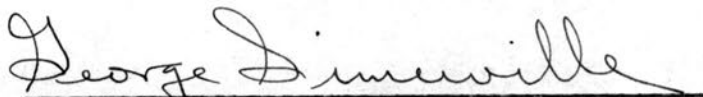
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 4th day of January, 1950.



T. D. Sexton
Mayor

ATTEST:



George Simerville
Recorder of the City of Bend

ORDINANCE NO. N.S. 372

AN ORDINANCE REGULATING THE CONSTRUCTING, ERECTING, RAISING, LOWERING, ALTERING, REPAIRING, AND USE OF BUILDINGS; PROVIDING FOR PROTECTION AGAINST FIRE; DEFINITELY ESTABLISHING THE FIRE LIMITS OF THE CITY OF BEND; REPEALING ORDINANCE N. S. 350; AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

R-537

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 shall 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 inflammability, to amount to a substantial rebuilding, or to increase the fire risk to adjacent property. Permission 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, 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 percent of the cost of erection and construction of a new building or structure of the 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:

BUILDING PERMIT FEES

<u>Total Valuation</u>	<u>Fee</u>
Less than \$20.00	\$ No Fee
\$20.00 to and including \$100.00	1.00
More than \$100.00, to and including \$400.00	2.00
More than \$400.00, to and including \$700.00	3.00
More than \$700.00, to and including \$1,000.00	4.00
Each additional \$1,000.00 or fraction, to and including \$15,000.00	2.00
Each additional \$1,000.00 or fraction, to and including \$50,000.00	1.00
Each additional \$1,000.00 or fraction exceeding \$50,000.00	0.50
Moving a building as provided in Section 3.	2.00

deleted
A-501

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 under 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. 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 erection, but said sheds must be removed upon the completion of such building or buildings.

Section 3. No building within the City of Bend shall be moved without the permission of the building inspector and fire chief. No permission shall be given to move any building into or within the fire limits unless such building shall comply with the fireproof 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 were 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 to third 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 therefor has been granted.

Section 4. Before any tents or canvas houses shall be erected within the city limits of Bend, the owner shall secure a building permit therefor from the Recorder, as herein provided; provided, however, that sleeping tents near 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.

*A-437 addl
A-457 addl*
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:

Beginning at the northeast corner of the intersection of Georgia Avenue and Wall Street, being the southwest corner of Block 22, Deschutes Addition; thence north in Wall Street to the southeasterly corner of Block 22, in Park Addition; thence northwesterly along the south line of said Block 22 to an intersection with the center line of the alley; thence northeasterly in the center line of said alley to the southerly corner of Lot 1, Block 3, Bend Original; thence northwesterly to the northwesterly line of Bend Original; thence northeasterly along the northwesterly line of said Lot 1 and the northwesterly line of Block 2, Bend Original, to the center line of Newport Avenue; thence northwesterly to the easterly bank of the power company dam and Deschutes River; thence following the easterly line of the pond and the easterly line of the Deschutes River to the center line of Portland Avenue; thence easterly in the center line of Portland Avenue to the center line of Hill Street; thence southerly in Hill Street to the intersection of the center line in Norton Avenue; thence easterly in said Norton Avenue to the west line of the Oregon Trunk Railroad; thence northerly along said right of way to the north line of Tract 21, Lytle Acre Tracts; thence easterly along the north line of Tract 21, 22 and 23 of said Lytle Acre Tracts to an intersection with the center line of the Pilot Butte Canal; thence southerly along the center line of said canal to an intersection with the center line of the alley running through Block 15 projected westerly at or near the west line of Second Street; thence easterly in said alley through said Block 15 to the center line of Third Street; thence southerly in Third Street to an intersection with the center line of the alley in Block 19, Center Addition, projected westerly; thence easterly in said alley of said Block 19 to a point north of the northeast corner of Lot 15, said Block 19; thence southerly to the southeast corner of Lot 15, Block 20, Center Addition, being on the north line of Irving Avenue; thence westerly along the north line of said Irving Avenue to an intersection with the center line of the Pilot Butte Canal; thence following the center line of said Pilot Butte Canal southerly to an intersection with the west line of the Oregon Trunk Railroad; thence northerly along the said west line of the right of way to the east line of Division Street to an intersection with the east line of Division Street and the north line of Park Place; thence following the east line of said Division Street to an intersection with the center line of Block 26, Bend Original,

projected easterly; thence west in alley through Block 26 and 21 of Bend Original to the center line of Harriman Street; thence southerly in the center line of Harriman Street to the northline of Hawthorne Avenue projected westerly; thence southwesterly following the center line of Lava Road to a point in the center line of Kansas Avenue near the northeasterly corner of Block 26, Park Addition; thence south to a point in said Lava Road just east of the southeast corner of Block 24, Deschutes, and being on the north line of Georgia Avenue projected east; thence west along the north line of Georgia Avenue to the place of beginning.

Also the Neighborhood-Commercial on the west side of the river at Galveston and Columbia.

Beginning at the southwest corner of Lot 18, Block 6, Highland Addition, said point being on the east line of the alley of said Block 6; thence north along the east line of said alley to an intersection with the center line of Hartford Avenue; thence in the center line of Hartford Avenue east to an intersection with the center line of the alley in Block 28, Boulevard Addition projected north; thence south in the center line of alley to the center line of Galveston Avenue; thence in the center line of Galveston Avenue east to an intersection of the center line of Harmon Boulevard; thence in the center line of said Harmon Boulevard southwesterly to an intersection with the south line of Lot 3 projected east; thence west to the place of beginning.

Unless otherwise specified, the center line of the streets, alleys, and public ways above mentioned is intended in all cases.

deleted 463
Section 6. The walls of all buildings hereafter erected within the fire limits of the City of Bend shall be of brick or other noncombustible material, and the roof thereof shall be constructed in accordance with the terms of this ordinance.

Section 7. 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 8. The roofs of all buildings hereafter erected within the fire limits, and the roofs of all brick and stone buildings hereafter erected in said city, other than buildings used exclusively for residential purposes, shall be covered with metal, slate, tile, terra cotta or such other material as may be approved as fire-proof by the city inspector.

Section 9. Whenever, in the judgment of the city inspector, the roof of any building within the fire limits shall be or become damaged to the extent of 40 percent of the value thereof, then said roof shall be re-roofed with the same material as set forth in Section 8 of this ordinance.

Section 10. 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 chimney inspector, and it shall be the inspector's duty to inspect all chimneys, flues, and buildings hereafter erected, remodeled, or altered.

Section 11. 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 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.

Section 12. 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 city inspector to see that this section is enforced.

Section 13. WINDOWS: All living rooms, kitchens, and other rooms used for living, eating or sleeping purposes shall be provided with windows with an area of not less than twelve square feet (12 sq. ft.) nor one-eighth of the floor area of such room. Not less than one-fourth such area shall be openable unless provided with a ventilation system producing at least four changes of air per hour.

deleted 463
Section 14. The window area in bathrooms, water closet compartments and other similar rooms shall be openable and not less than three square feet (3 sq. ft.) unless adequate ventilation and light is provided.

Section 15. Foundation Ventilation: The space between bottom of floor joists and the ground of any building (except such space as is occupied by a basement or cellar) shall be provided with a sufficient number of ventilating openings through foundation walls or exterior walls to insure ample ventilation, and such openings shall be covered with a corrosion-resistant wire mesh with openings in such mesh not greater than one-half inch ($\frac{1}{2}$ ") nor less than one-fourth inch ($\frac{1}{4}$ ") in any dimension. The minimum total area of ventilating openings shall be proportioned on the basis of one-half ($\frac{1}{2}$) square foot for each 25 linear feet (25 lin. ft.) or major fraction thereof of exterior wall, if through ventilation is provided.

Section 16. Any person or persons, whether owner, builder, contractor, subcontractor, 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 more than \$25 for each offense and everyday of maintenance of prohibited conditions shall constitute a separate offense.

*A-477
A-501
R-537*
Section 17. All provisions of the Uniform Building Code of the Pacific Coast Building Officials Conference not in conflict with this ordinance or 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 amendments to the said Uniform Building Code in effect at the time of the passage of this ordinance, or any such amendments to said Uniform Building Code and the laws of the State of Oregon which may be adopted hereafter.

Section 18. The invalidity of any section, part of section, or provisions of this ordinance shall not invalidate any other section, part of section, or provision hereof.

Section 19. Ordinance N.S. 350 and all other ordinances in conflict herewith are hereby repealed.

Read for the first time March 1, 1950.
Read for the second time March 15, 1950.
Placed upon its passage March 15, 1950.

Yeas: 5 Nays: 0

Submitted to and approved by the Mayor this 15th day of March, 1950.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

Leona Carrier

Acting Recorder of the City of Bend

ORDINANCE NS NO. 373

AN ORDINANCE REGULATING THE UNLOADING OF PETROLEUM FUELS WITHIN THE CITY OF BEND; PROVIDING A PENALTY FOR VIOLATION THEREOF; AND DECLARING AN EMERGENCY:

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. No vehicle having a capacity of over 1,500 gallons shall be permitted to unload petroleum fuel with a flash point of less than 100 degrees Farenheit within the City of Bend at any garage, service station or other public dispensary of such fuels.

Section 2. The term "vehicle" as used herein shall include a truck, truck and trailer, or any other combination of vehicles having a carrying capacity of more than 1,500 gallons.

Section 3. No vehicle shall deliver petroleum fuel having a flash point below 100 degrees Farenheit in the City of Bend while any portion thereof shall be standing upon any street, alley or sidewalk.

Section 4. The operator of any vehicle delivering petroleum products shall remain at the control valve of such vehicle at all times while such products are being discharged therefrom.

Section 5. Any person, firm or corporation violating any provision of this ordinance shall be punished by a fine not exceeding \$250.

Section 6. Since petroleum products having a flash point of less than 100 degrees Farenheit are now being delivered from vehicles of much greater capacity than herein permitted and it is important that this ordinance become effective at the earliest possible date an emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage.

Read for the first time March 15, 1950.

Read for the second time April 5, 1950.

Placed upon its passage April 5, 1950.

Yeas: 6

Nays: 1

Submitted to and approved by the Mayor this 5th day of April, 1950.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS NO. 374

AN ORDINANCE TO AMEND SECTION 1 OF ORDINANCE NS 310 AND TO REPEAL ORDINANCE NS 320 BOTH HAVING TO DO WITH THE LICENSING OF DOGS.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Ordinance NS No. 310 be and the same is hereby amended to read as follows:

Section 1. Within the corporate limits of the City of Bend it shall be unlawful for any person having charge, care or control of any dog, male or female, over the age of eight months, to permit such dog to run at large unless attached to such dog is a collar on which is a tag with an appropriate number, to be obtained from or through the County Clerk of Deschutes County, Oregon, or from 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 same on any such dog within the City of Bend.

Section 2. Ordinance NS No. 320 is hereby repealed.

Read for the first time April 21, 1950.

Read for the second time May, 3, 1950.

Placed upon its passage May 3, 1950.

Yeas: 5 Nays: 0

Submitted to and approved by the Mayor this 3rd day of May, 1950.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

W. T. Thompson

W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS NO. 375

AN ORDINANCE granting to The Pacific Telephone and Telegraph Company, hereinafter sometimes referred to as "grantee", its successors and assigns, the right and privilege to do a general telephone and telegraph business and to place, erect, lay, maintain and operate in, upon, over and under the streets, alleys, avenues, thoroughfares and public highways, places and grounds within the City of Bend, poles, wires and other appliances and conductors for all telephone, telegraph and other communication purposes.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

*Repealed by:
NS-1042*

Section 1. There is hereby granted by the City of Bend to 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 in, upon, over and under the streets, alleys, avenues, thoroughfares and public highways, places and grounds within the said City, poles, wires and other appliances and conductors for all telephone, telegraph and other communications purposes. Such wires and other appliances and conductors may be strung upon poles or 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 the 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 such streets, alleys, avenues, thoroughfares and public highways, places and grounds in said City for the purpose of placing, erecting, laying and maintaining poles, or other supports or conduits for said wires and appliances and auxiliary apparatus or repairing, renewing or replacing the same. Said work shall be done in compliance with the necessary rules, regulations, ordinances or orders, 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 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 reasonable time within which such repairs and restoration of streets shall be completed, and upon failure of such repairs being made by said Company, its successors and assigns, the said City shall 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 way to prevent the proper authorities of the City of Bend from sewerage, grading, planking, rocking, paving, repairing, altering, or improving any of the streets, alleys, avenues, thoroughfares and public highways, places and grounds within the City of Bend in or upon which the poles, wires or other conductors of said Company shall be placed, but all such work or improvements shall be done 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 from the person or persons desiring to move said building, machinery or other objects. Said notice shall bear the approval of such official as the common council 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 rearrangement 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, of whatsoever kind or nature caused directly or indirectly from such temporary rearrangement of the aerial plant of the grantee, and, if required by grantee, shall be accompanied by a cash deposit or a good and sufficient bond to pay any and all such costs as estimated by grantee.

Section 6. In consideration of the rights, privileges, and franchise hereby granted, said grantee, The Pacific Telephone and Telegraph Company, its successors and assigns, shall pay to the City of Bend, from and after the date of the acceptance of this franchise, and until its expiration, annually, two per cent (2%) per annum of its gross local service receipts derived from the operation of telephones located within the corporate limits of the City of Bend. Payment of said two per cent (2%) shall be made on or before the fifteenth day of March of each and every year for the calendar year preceding, with the exception that in the year 1951, payment shall be made only for the period commencing on the date this franchise becomes effective and ending December 31, 1950, and such 2% payment made by the grantee will be accepted by the City of Bend from the grantee, also in payment of any license, privilege or occupation tax or fee for revenue or regulation, or for any other purpose now or hereafter to be imposed by the City of Bend upon the grantee during the term of this franchise. And provided the grantee accepts this franchise and makes said 2% payment, then the City of Bend will not, during the term of this franchise, require the grantee to make any further payment to the City of Bend for any license, privilege or occupation tax or fee.

Section 7. The rights, privileges and franchise herein granted shall continue and be in force for the period of twenty (20) years from and after the date this Ordinance becomes effective.

Section 8. This Ordinance shall take effect and be in force from and after its passage and approval, and the said grantee shall, within thirty (30) days of the passage of this Ordinance, file with the Recorder of the City of Bend, its written acceptance of all the terms and conditions of this Ordinance.

Read for the first time April 21, 1950.

Read for the second time May 3, 1950.

Placed upon its passage May 3, 1950.

Yeas: 5 Nays: 0

Submitted to and approved by the Mayor this 3rd day of May, 1950.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

W. T. Thompson

W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS NO. 376

AN ORDINANCE TO AMEND SECTION 4 OF ARTICLE II OF ORDINANCE NS NO. 288 FIXING HOURS FOR CONDUCT OF AUCTION SALES IN THE CITY OF BEND.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Section 4 of Article II of Ordinance NS 288 is hereby amended to read as follows:

No auction sale shall be conducted within the City of Bend between the hours of 7:30 P.M. and 8 A.M. of the following day except in areas zoned for industrial use.

Read for the First time June 21, 1950.
Read for the second time July 5, 1950.
Placed upon its passage July 5, 1950.

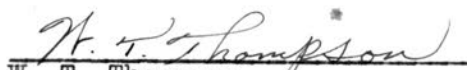
Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 5th day of July, 1950.



T. D. Sexton
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS NO. 377

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF PERSONS, FIRMS AND CORPORATION ENGAGED IN INSTALLATION OF ELECTRICAL APPLIANCES AND TO REGULATE ELECTRIC WIRING; PROVIDING FOR A PENALTY FOR VIOLATION THEREOF; AND REPEALING ORDINANCE NS 274.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful within the City of Bend for any person, firm or corporation to introduce any electric lighting, heating or power wire, circuit or apparatus in or on any building, awning, or structure, or addition thereof 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 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, and any and all such electrical installations shall conform to the said National Electric Code and this ordinance and the laws of 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.

Section 2. It shall be the duty of the City Building Inspector to notify the State Electric Inspector when and where there is electrical wiring or installation to be inspected.

Section 3. All installations, changes, alterations, extensions or repairs hereafter made in electric installations shall be done in accordance with this ordinance.

Section 4. No electrical work, as provided 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 shall be had on or before thirty days after date of expiration; otherwise, the applicant shall be considered an initial applicant and the \$100 fee shall apply; provided, however, that nothing in this ordinance shall be construed to prohibit an owner from doing his own wiring without a license.

Section 5. Any person, firm or corporation who shall violate any provision of this ordinance upon conviction shall be punished by a fine of not to exceed \$50, or by imprisonment in the city jail not to exceed 25 days, or by both such fine and imprisonment.

Section 6. Ordinance NS 274 is hereby repealed.

Read for the first time July 5, 1950.
Read for the second time July 19, 1950.
Placed upon its passage July 19, 1950.

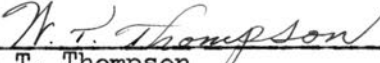
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 19th day of July, 1950.



T. D. Sexton
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS. NO. 378

An ordinance vacating all that portion of the following described street located in the portion of Awbrey Heights and River Terrace, City of Bend, Deschutes County, State of Oregon, more particularly described as:

Saginaw Avenue from Awbrey Road west to the Alley west of West Third Street.

WHEREAS, the City Commission of the City of Bend heretofore on the 7th day of June, 1950, duly and regularly initiated the vacation proceedings to vacate the street above described in response to a petition for said vacation presented by Mr. Tom Larsen, one of the petitioners, and

WHEREAS, the City Commissioners having considered said vacation proceedings and found them to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission Chambers at the City Hall in the City of Bend at 7:30 o'clock P.M., on the 19th day of July, 1950, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described street located in that portion of Awbrey Heights and River Terrace, City of Bend, Deschutes County, State of Oregon, more particularly described as:

Saginaw Avenue from Awbrey Road west to the Alley west of West Third Street,

be and the same is hereby vacated.

Read for the first time July 19, 1950.
Read for the second time August 2, 1950.
Placed upon its passage August 2, 1950.

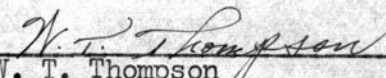
Yeas: 4 Nays: 0

Submitted to and approved by the Mayor this 2nd day of August, 1950.



T. D. Sexton
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS NO. 379

AN ORDINANCE TO AMEND ORDINANCE NS. 288 BY ADDING THERETO AN ARTICLE PROVIDING FOR THE LICENSING OF SHUFFLEBOARDS AND SHUFFLEBOWLERS AND REPEALING ORDINANCE NS. 357.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

ARTICLE XIa

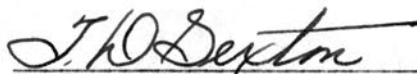
Section 1, It shall be unlawful for any persons to operate a shuffleboard or a shufflebowler for hire within the corporate limits of the City of Bend without first obtaining a license therefor.

Section 2. The license fee for operation of shuffleboards and shufflebowlers in the City of Bend shall be \$6 per quarter or fraction thereof for each board and bowler.

Read for the first time August 2, 1950.
Read for the second time August 16, 1950.
Placed upon its passage August 16, 1950.

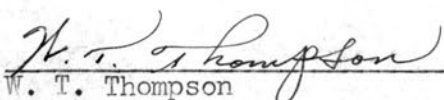
Yeas: 4 Nays: 0

Submitted to and approved by the Mayor this 16th day of August, 1950.



T. D. Sexton
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS. NO 380 -

AN ORDINANCE TO PROVIDE FOR CIVIL DEFENSE OF THE CITY OF BEND AND DECLARING AN EMERGENCY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The City of Bend does hereby accept the provisions of Chapter 434, Oregon Laws, 1949, known as the Oregon civil defense act of 1949.

Section 2. The Mayor is hereby authorized to appoint, subject to approval by the Commission, seven persons residents of the City of Bend who shall be known as the Bend Civil Defense Committee and as such committee they shall be charged with the development of a plan for civil defense which will meet the needs of the community.

Section 3. The Mayor is hereby authorized to appoint, subject to approval by the Commission, a Director of Civil Defense who shall be a resident of the City of Bend, who shall serve as chairman of the Bend Civil Defense Committee but without vote except in case of a tie, and who shall have direct responsibility for the organization, administration and operation of civil defense activities.

Section 4. It is hereby adjudged and declared that existing conditions are such that this act is necessary for the immediate preservation of the public peace, health and safety; and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Read for the first time September 6, 1950.

Read for the second time September 20, 1950.

Placed upon its passage September 20, 1950.

Yeas: 5 Nays: 0

Submitted to and approved by the Mayor this 20th day of September, 1950.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS 381

AN ORDINANCE TO AMEND ORDINANCE NS 342 BY PERMITTING
ADDITIONAL USES IN CERTAIN ZONES.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That subdivision 3 of section 16 of Ordinance
Ns 342 be amended to read as follows:

Churches, schools, hospitals, greenhouses, nurseries,
lodge halls, libraries, parks, playgrounds, and non-
profit parking lots covered with not less than two
inches of hard-surfaced pavement.

Section 2. That subdivision 3 in the C-II Tourist Com-
mercial part of section 16 of Ordinance NS 342 be amended to
read as follows:

Gift, novelty and sports shops, and dry cleaning plants.

Read for the first time October 4, 1950.

Read for the second time October 18, 1950.

Placed upon its passage October 18, 1950.

Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 18th day of
October, 1950.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS 382

AN ORDINANCE MAKING IT UNLAWFUL TO TAMPER WITH, INJURE OR DESTROY ANY PROPERTY OF THE CITY OF BEND AND PROVIDING PENALTY FOR VIOLATION THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person to tamper with, injure or destroy any property of the City of Bend.

Section 2. Any person found guilty of violating this ordinance shall be sentenced to pay a fine of not more than \$200 or to serve not more than 100 days in the city jail, or both such fine and imprisonment.

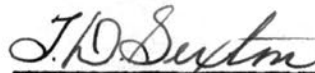
Read for the first time November 15, 1950.

Read for the second time December 6, 1950.

Placed upon its passage December 6, 1950.

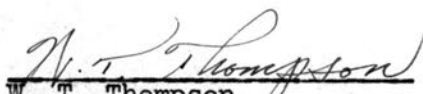
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 6th day of December, 1950.



T. D. Sexton
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS383

AN ORDINANCE VACATING A CERTAIN PART OF WALL STREET IN THE CITY OF BEND.

WHEREAS, the Commission of the City of Bend heretofore and on November 15, 1950, adopted a resolution of intention to vacate a certain portion of Wall Street, and

WHEREAS, after due notice as required by said resolution a public hearing was held thereon at the commission chambers at the city hall in Bend, Oregon, at eight o'clock p.m. of December 20, 1950, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That that portion of Wall Street described as follows: Beginning at the southeast corner of Lot 5 in Block 20 of Park Addition to Bend and thence North $6^{\circ} 22' 01''$ East a distance of 293.74 feet; thence North $40^{\circ} 06' 47''$ West a distance of 50.55 feet to the north-east corner of Lot 9 in said Block; and thence due South a distance of 330.59 feet to the point of beginning;

be and the same is hereby vacated.

Read for the first time December 20, 1950.

Read for the second time January 2, 1951.

Placed upon its passage January 2, 1951.

Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 2nd day of January, 1951.

T. D. Sexton

T. D. Sexton
Mayor

ATTEST:

W. T. Thompson

W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS384

AN ORDINANCE TO AMEND ORDINANCE NO. NS344 RELATING TO TRAFFIC AND REGULATING USE OF PUBLIC STREETS IN THE CITY OF BEND; DEFINING AND ESTABLISHING PARKING METER ZONES AND REGULATING THE OPERATION OF PARKING METERS.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 6 of Ordinance NS 344 be and the same is hereby amended to read as follows:

Section 6. It shall be unlawful for any person to cause or suffer any vehicle registered in his name or operated or controlled by him to be upon any street within a parking meter zone in any space adjacent to which a parking meter is installed, for more than 60 consecutive minutes, unless otherwise authorized or designated by the City Commission or at any time during which the meter is showing a signal indicating that such space is illegally in use -- other than such time as is necessary to operate the meter to show legal parking -- between the hours of 9 a.m. and 6 p.m. of any day, Sundays and such legal holidays excepted as are designated by the City Commission; provided the City Manager with the approval of the City Commission may set a later closing hour for meter operation in certain spaces.

Read for the first time March 21, 1951.
Read for the second time April 4, 1951.
Placed upon its passage April 4, 1951.

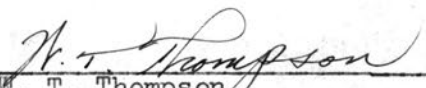
Yeas: 5 Nays: 2

Submitted to and approved by the Mayor this 4th day of April, 1951.



W. T. Welcome
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS385

AN ORDINANCE FORBIDDING PARKING IN METERED SPACE ANY TAXICAB HAVING A STREET STAND AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. No taxicab assigned a regular street stand shall at any time be parked in metered space on any street in the City of Bend, except for the purpose of loading or unloading.

Section 2. Any person found guilty of a violation shall be fined not more than \$50.

Read for the first time March 21, 1951.

Read for the second time April 4, 1951.

Placed upon its passage April 4, 1951.

Yeas: 7

Nays: 0

Submitted to and approved by the Mayor this 4th day of April, 1951.

W. T. Welcome

W. T. Welcome

Mayor

ATTEST:

W. T. Thompson

W. T. Thompson

Recorder of the City of Bend

ORDINANCE NO. NS386

AN ORDINANCE TO AMEND ORDINANCE NS 266 DEFINING DISORDERLY CONDUCT AND PROVIDING FOR THE PUNISHMENT THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 15 of Ordinance NS 266 of the City of Bend be and the same is hereby amended to read as follows:

Section 15. It shall be unlawful for any person to throw or cause to be thrown or deposited upon any sidewalk, street, 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; or any snow.

Read for the first time March 21, 1951.

Read for the second time April 4, 1951.

Placed upon its passage April 4, 1951.

Yeas: 6

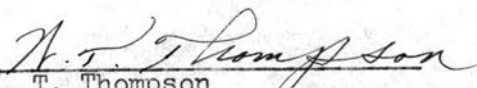
Nays: 1

Submitted to and approved by the Mayor this 4th day of April, 1951.



W. T. Welcome
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS387

An Ordinance vacating that portion of the alley, lying and being in Block 11, River Terrace, commencing from the intersection of said alley with West First Street, and extending North to the North line of Lots 5 and 7 in said Block 11, said portion of the alley being adjacent to Lots 5 on the East and Lots 6 and 7 on the West in Block 11, River Terrace, Deschutes County, Oregon, lying and being in the City of Bend.

WHEREAS, the Commission of the City of Bend heretofore and on the 5th day of February, 1951, was duly petitioned to vacate the alley above described, and

WHEREAS, after due notice as required by said law a public hearing was had thereon at the Commission Chambers at the City Hall at 7:30 p.m. on Wednesday, the 21st day of March, 1951, at which hearing no objections or remonstrances to such vacation were presented, NOW THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That portion of the alley, lying and being in Block 11 River Terrace, commencing from the intersection of said alley with West First Street, and extending North to the North line of Lots 5 and 7 in said Block 11, said portion of the alley being adjacent to Lots 5 on the East and Lots 6 and 7 on the West in Block 11, River Terrace.

Read first time 21st day of March, 1951.

Read second time 4th day of April, 1951.

Put upon its passage ^{4th} ~~18th~~ day of April, 1951.

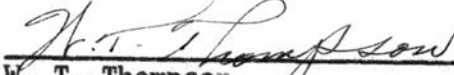
Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 4th day of April, 1951.



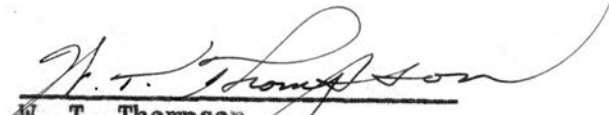
W. T. Welcome
Mayor

Attest:



W. T. Thompson
Recorder of the City of Bend

I hereby certify that the foregoing is a full, true and correct copy of the original Ordinance on file in my office.



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. N.S. 388

An Ordinance vacating the easterly eleven feet of that portion of LAVA ROAD, Bend Addition, Bend, Oregon, as presently dedicated, bounded on the southwest by the north line of Franklin Avenue and bounded on the north-east by an easterly prolongation of the north line of that alley in Block fifteen (15), which enters upon Lava Road; said strip being eleven feet in width and 565 feet more or less in length. Reserving to the public full right of ingress and egress to that certain sewer flush tank and that certain water meter box located within said described eleven foot strip.

WHEREAS, the Commission of the City of Bend heretofore and on the 5th day of February, 1951, has duly initiated and adopted a motion to Vacate the street above described, to-wit: that portion as described, and

WHEREAS, after due notice as required by law and by said motion, a public hearing was had thereon at the Commission Chambers at the City Hall at ~~7:30~~ P.M., on Wednesday, the 21st day of March, 1951, at which hearing no objections or remonstrances to such vacation were presented, NOW THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That a portion of LAVA ROAD, Bend Addition, Bend, Oregon, more particularly described as follows: the easterly eleven feet of that portion of Lava Road, as presently dedicated, bounded on the southwest by the north line of Franklin Avenue and bounded on the north-east by an easterly prolongation of the north line of that alley in Block fifteen (15), which enters upon Lava Road; said strip being eleven feet in width and 565 feet more or less in length, be and the same is hereby vacated. Reserving, however, to the public full right of ingress and egress to that certain sewer flush tank and that certain water meter box located within said described eleven foot strip.

Read first time the 21st day of March, 1951.

Read second time the 4th day of April, 1951.

Put upon its passage the ^{4th} ~~18th~~ day of April, 1951.

Yeas: 7

Nays: 0

Submitted to and approved by the Mayor this 4th day of April , 1951.

W. T. Welcome

W. T. Welcome
Mayor

Attest:

W. T. Thompson

W. T. Thompson
Recorder of the City of Bend, Oregon

ORDINANCE NO. NS389

*NS-389 repealed by
NS-1496, passed 7-15-89*

AN ORDINANCE TO AMEND ORDINANCE NO. NS352 PROVIDING FOR THE GOVERNMENT, MAINTENANCE AND USE OF THE CITY CEMETERY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

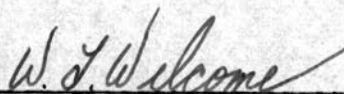
Section 1. That Section 12 of Ordinance No. NS352 be and the same is hereby amended to read as follows:

Section 12. Either monuments or markers may be placed in the cemetery but none shall be placed therein until a permit has been obtained from the City Recorder, the fee for which shall be \$1 and which permit shall state the dimensions of the monument or marker and the lot on which same is to be placed; and the sexton shall not allow any monument or marker to be placed in the cemetery until the permit therefor has been exhibited to him.

Read for the first time May 2, 1951.
Read for the second time May 16, 1951.
Placed upon its passage May 16, 1951.

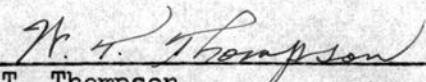
Yeas: 4 Nays: 0

Submitted to and approved by the Mayor this 16th day of May, 1951.



W. T. Welcome
Mayor

ATTEST:



W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS390

AN ORDINANCE FIXING FEES FOR BOWLING ALLEYS AND REPEALING CONFLICTING ORDINANCES.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Before a bowling alley license is issued a fee therefor shall be paid to the Recorder of the City of Bend as follows:

For each alley per quarter or fraction thereof.....\$3.00

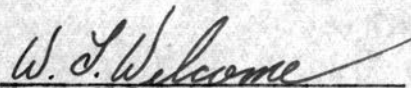
Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Read for the first time June 20, 1951.
Read for the second time July 5, 1951.
Placed upon its passage July 5, 1951.

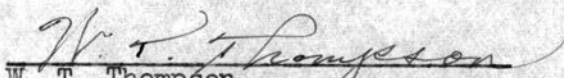
Yeas: 7

Nays: 0

Submitted to and approved by the Mayor this 5th day of July, 1951.


W. T. Welcome
Mayor

ATTEST:


W. T. Thompson
Recorder of the City of Bend

Inactive XI

ORDINANCE NO. NS391

AN ORDINANCE DECLARING PUBLIC NECESSITY TO REQUIRE THE CONDEMNATION OF CERTAIN REAL PROPERTY, DIRECTING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS, AND APPOINTING VIEWERS TO APPRAISE SAID REAL PROPERTY.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It is hereby declared that public necessity requires that the following described real property within the City of Bend be acquired by proceedings in eminent domain for the widening of Wall Street, to-wit:

Easterly 10 feet of Lots 3 and 4 and the Easterly 10 feet of the Southerly 15 feet of Lot 2, Block 1, Wall Street Addition to Bend, Oregon.

Section 2. The City Attorney is hereby directed to institute an action for condemnation of said real property, and Clyde M. McKay, J. A. Dudrey, D. H. Peoples, three competent and disinterested persons, are appointed as viewers to appraise said property and make report to the Commission within thirty days from the beginning of such action as to the value of said property and of the rights and interest of the several persons having interests therein.

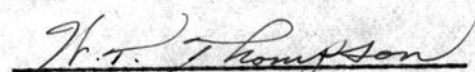
Read for the first time August 15, 1951.
Read for the second time September 19, 1951.
Placed upon its passage September 19, 1951.

Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 19th day of September, 1951.


W. T. Welcome
Mayor

ATTEST:


W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS392

AN ORDINANCE MAKING IT UNLAWFUL TO BE IN POSSESSION OF A MOTOR VEHICLE TO THE MUFFLER OF WHICH HAS BEEN ATTACHED ANY DEVICE WHICH WHEN PLACED IN OPERATION CAUSES FLAME TO BE EMITTED AND EXHAUSTED FROM SUCH MUFFLER AND PROVIDING PENALTY FOR VIOLATION THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person to be in possession of any motor vehicle to the muffler of which has been attached any device which when placed in operation shall cause flame to be emitted and exhausted from such muffler.

Section 2. Any person convicted of a violation hereof shall be fined not to exceed \$100.

Read for the first time November 7, 1951.

Read for the second time and placed upon its passage November 21, 1951.

Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 21st day of November, 1951.

W. T. Welcome

W. T. Welcome
Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

ORDINANCE NS393

AN ORDINANCE VACATING A SECTION OF LAVA ROAD IN THE CITY OF BEND.

WHEREAS, the Commission of the City of Bend heretofore and on October 17, 1951, adopted a resolution of intention to vacate a certain section of Lava Road, and

WHEREAS, after due notice as required by said resolution a public hearing was had thereon at the commission chambers at the City Hall in Bend, Oregon, at eight o'clock p.m. of November 21, 1951, at which time no objections or remonstrances to such proposed vacation were presented,

NOW, THEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the section of Lava Road described as follows:

Beginning at the Northeast Corner of Lot 5, Block 26, Park Addition to Bend; thence S. 51° 26' E. a distance of 24.00 ft., thence S. 21° 30' W. a distance of 21.00 ft. thence S. 30° 38' W. a distance of 21.65 ft. to the east line of Lot 6, Block 24, Deschutes; thence N. 0° 15' 28" W. a distance of 23.49 ft. along the east line of said Lot 6 to the Corner common to said Lot 6, Block 24, Deschutes and Lot 5, Block 26, Park Addition; thence N. 0° 00' E. a distance of 29.62 ft. along the east line of said Lot 5, Park Addition to the point of beginning.

be and the same hereby is vacated.

Read for the first time November 21, 1951.
Read for the second time December 5, 1951.
Placed upon its passage December 5, 1951.

Yeas: 5

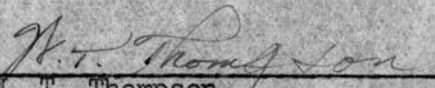
Nays: 0

Submitted and approved by the Mayor December 5, 1951.



W. T. Welcome,
Mayor

Attest:



W. T. Thompson,
Recorder of the City of Bend

ORDINANCE NO. NS394

VIII

An Ordinance vacating that portion of the alley lying and being in Block twenty-nine (29) Wiestoria Addition to Bend, Deschutes County, Oregon.

WHEREAS, The Commission of the City of Bend, Oregon, heretofore and on the 17th day of October, 1951, was duly petitioned to vacate the alley above described and

WHEREAS, the consent of the owners of the property of the requisite area has been obtained, and

WHEREAS, the public interest will not be prejudiced by the said vacation, and

WHEREAS, after due notice as required by law, a public hearing was had thereon in the Commission Chambers in the City Hall at 7:45 o'clock on Wednesday the 19th day of December, 1951, at which hearing no objections or remonstrances to such vacation were presented,

NOW THEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That alley lying and being in block twenty-nine (29) Wiestoria Addition to Bend, Deschutes County, Oregon, be and the same is hereby vacated.

Read first time, December 19, 1951.

Read second time, January 2, 1952.

Put upon its passage, January 2, 1952.

Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 2nd day of January, 1952.

W. T. Welcome

W. T. Welcome,
Mayor

Attest:

W. T. Thompson

W. T. Thompson,
Recorder of the City of Bend

NS-394

ORDINANCE NO. NS395

AN ORDINANCE to provide for the issuance and sale of City of Bend Water Bonds in the sum of Five Hundred Thousand Dollars (\$500,000.00) for the purpose of providing funds with which to make additions, extensions, and improvements to the watersystem, providing the form of said bonds, and the advertisement and sale thereof, and declaring an emergency.

WHEREAS, at an election duly called and held in the City of Bend, Oregon, on the 21st day of August, 1951, the Commission of said City was duly authorized and empowered to issue and sell bonds in the sum of Five ^{Hundred} Thousand Dollars (\$500,000.00) to procure funds with which to make additions, extensions and improvements to the water system; and

WHEREAS, it is necessary at this time to issue and sell said bonds, now, therefore,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the City of Bend do issue its bonds in the sum of Five Hundred Thousand Dollars (\$500,000.00) par value in amount, said bonds to be in denominations of One Thousand Dollars (\$1,000.00) each, numbered from 1 to 500, inclusive, to be dated February 1, 1952, and to mature serially in numerical order as follows:

\$8,000.00 on February 1, 1953;
 9,000.00 on February 1, 1954;
 9,000.00 on February 1, 1955;
 10,000.00 on February 1, 1956;
 10,000.00 on February 1, 1957;
 11,000.00 on February 1, 1958;
 26,000.00 on February 1, 1959;
 27,000.00 on February 1, 1960;
 28,000.00 on February 1, 1961;
 28,000.00 on February 1, 1962;
 29,000.00 on February 1, 1963;
 30,000.00 on February 1, 1964;
 31,000.00 on February 1, 1965;
 32,000.00 on February 1, 1966;
 33,000.00 on February 1, 1967;
 34,000.00 on February 1, 1968;
 35,000.00 on February 1, 1969;
 36,000.00 on February 1, 1970;
 37,000.00 on February 1, 1971;
 37,000.00 on February 1, 1972;

provided, that all bonds which mature thereafter, shall be subject to call and redemption on February 1, 1962, and on any interest paying date thereafter, said bonds to bear interest at the rate of not to exceed six per cent (6%) per annum, payable semiannually on the 1st day of February and August each year, principal and interest to be payable in lawful money of the United States at the office of the City Treasurer of the City of Bend, Oregon, said bonds to be signed by the Mayor and countersigned by the Recorder under the corporate seal of said City, the interest of said bonds to be represented by semiannual interest coupons attached thereto bearing the facsimile signatures of said Mayor and Recorder, which said bonds shall be known as "City of Bend Water Bonds".

Section 2. That the said City of Bend Water Bonds and the coupons attached thereto shall be in substantially the following form:

No. _____

\$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
DESCHUTES COUNTY
CITY OF BEND WATER BOND.

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

ONE THOUSAND DOLLARS

on the first day of February, 19___, with interest thereon at the rate
of _____ per cent (%) per annum, payable semiannually on the
first days of February and August in each year, to the bearer of the
respective coupons therefor hereto attached upon presentation and
surrender thereof as they mature, both principal and interest being
payable in lawful money of the United States of America at the office
of the City Treasurer of the City of Bend, Oregon.

This bond is one of an issue of like date and tenor, except
as to maturities, aggregating Five Hundred Thousand Dollars (\$500,000.00),
par value in amount, authorized by an amendment to the charter of said
City, duly submitted to and approved by the legal voters of said City
at an election held for said purpose on the 21st day of August, 1951,
after due notice given, at which said election an indebtedness in said
sum, was authorized by the legal voters of said City, to be created for
the purpose of procuring funds with which to make additions, extensions,
and improvements to the water system of the city.

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

For the punctual payment of the principal hereof and the
interest hereon, the full faith and credit of the City of Bend are
hereby irrevocable pledged.

IN WITNESS WHEREOF the City of Bend 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 to bear the facsimile signatures of said Mayor and Recorder this first day of February, 1952.

W. T. Welcome
W. T. Welcome,
Mayor

Countersigned

W. T. Thompson
W. T. Thompson,
Recorder

On the face of all bonds which mature after 1962, there shall be added a paragraph to read as follows:

"This bond is subject to call and redemption on February 1, 1962, and on any interest paying date thereafter."

C O U P O N

No. _____ February _____ \$ _____

On the 1st day of August 19___, City of Bend, Deschutes County, Oregon, will pay to bearer

_____ DOLLARS

in lawful money of the United States of America at the office of the City Treasurer of the City of Bend, Oregon, for six months' interest then due on City of Bend Water Bond dated February 1, 1952, No. _____.

W. T. Welcome
W. T. Welcome,
Mayor

Countersigned:

W. T. Thompson
W. T. Thompson,
Recorder

At the end of all coupons coming due after February 1, 1962, there shall be added after "No. ___" the following:

"Unless said bond is sooner redeemed as therein provided,
which redemption will render this coupon void."

Section 3. The Commission undertakes and agrees that it will fix and maintain such rates and charges for the use of the facilities of the water system that the net revenues of said system applicable to indebtedness shall be sufficient to pay the principal of and the interest on the bonds hereby authorized as they fall due and become payable.

Section 4. The Commission shall each year make a tax levy in an amount which, with the applicable revenues of the water system, shall be sufficient to pay the principal of and interest on said bonds as they become due.

Section 5. The Recorder is hereby instructed to advertise the aforesaid bonds for sale at the Commission meeting to be held on the 18th day of January, 1952, at the Commission Chambers in the City of Bend, by publishing a notice of sale in The Bend Bulletin, once each week for two successive weeks before the said date of sale.

Section 6. WHEREAS, the aforesaid bonds have been heretofore authorized at an election and it is necessary that the inhabitants of the city have an ample supply of pure and wholesome water, and that the contemplated work be started at the earliest possible moment, and it is necessary for the peace, health, and safety of the inhabitants of the City that this ordinance take immediate effect, now, therefore,

AN EMERGENCY is hereby declared to exist and this ordinance shall go into force and effect immediately upon its passage and approval.

Passed by the Commission this 2nd day of January, 1952, by the following vote:


YEAS: 7 NAYS: 0

Submitted to and approved by the Mayor this 2nd day of January, 1952.



W. T. Welcome,
Mayor

Countersigned:



W. T. Thompson,
Recorder of the City of Bend

ORDINANCE NO. NS-396.

AN ORDINANCE providing for the issuance of City of Bend Improvement Bonds in the sum of \$45,000.00; providing and approving the form of the bonds to be issued and the coupons attached thereto; providing for the advertisement and sale of said bonds, and declaring an emergency.

WHEREAS, the Commission of the City of Bend has heretofore proceeded to improve certain streets in said City, and has duly assessed the costs of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of Twenty-five Dollars (\$25.00) or more, aggregating in all the sum of \$45,665.03, have within ten (10) days after notice of such assessment was first published, filed with the City Recorder of said City, written applications to pay said assessments in instalments, each and all of which written applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the street for which said assessment is levied, and in the apportionment of the cost thereof; and

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

WHEREAS, in no application received as aforesaid, did the amount of such assessment, including all unpaid assessments or previously bonded liens, exceed its assessed valuation as shown by the last tax roll of Deschutes County; and

WHEREAS, the City Recorder has kept all such applications in convenient form for examination; that is to say, the applications received for such street improvement have been kept separate; and

WHEREAS, the City Recorder has entered in a book kept for that purpose under separate heads for each street and sewer improvement, the date of filing of each application, and the names of the applicant, a description of the property and the amount of the assessment as shown in the application; and

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

WHEREAS, each and every act and thing required by the laws of the State of Oregon and by the charter of said City precedent to the issuance of these bonds have been heretofore 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 amount of Forty-five Thousand Dollars (\$45,000.00), in the denomination of One Thousand Dollars (\$1,000.00) each, numbered consecutively from 1 to 45, both numbers inclusives, said bonds to bear date March 1, 1952, and 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 serially at the rate of Four Thousand Dollars (\$4,000.00) on the first day of March in each of the

years 1953 to 1962, inclusive, and Five Thousand Dollars (\$5,000.00) on March 1, 1963. All of said bonds which mature thereafter shall be subject to call and redemption on March 1, 1954, and on any semiannual interest paying date thereafter, shall bear interest at the rate of not to exceed six percent (6%) per annum, interest payable semiannually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed thereon, which bonds, together with interest thereon, shall be payable at the office of the Treasurer of the City of Bend, and shall be known as City of Bend Improvement Bonds, Series 1.

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, to-wit:

No. _____

\$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF DESCHUTES
CITY OF BEND IMPROVEMENT BOND
SERIES 1

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

ONE THOUSAND DOLLARS

in lawful money of the United States on the presentation and surrender of this obligation on the 1st day of March, 19___, without grace, with interest thereon, at the rate of _____ percent (___%) per annum, payable semiannually on the 1st days of March and September of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the office of the Treasurer of the City of Bend, Oregon.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City and Article 1, Chapter 21, Title 95, Oregon Compiled Laws Annotated, as amended, 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 it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

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

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of March, 1952.

W. J. Welcome
Mayor

Countersigned:

H. T. Thompson
Recorder

On the face of all bonds maturing after March 1, 1954 add a paragraph reading:

This bond is subject to call and redemption on March 1, 1954, and on any semiannual interest paying date thereafter.

(COUPON)

No. _____ \$ _____

THE CITY OF BEND, STATE OF OREGON, will pay to bearer on the first day of ^{March} September 19 _____

_____ DOLLARS

in lawful money of the United States at the office of the Treasurer of the City of Bend, being six months' interest on Improvement Bond No. _____, Series 1.

W. J. Welcome
Mayor

Countersigned:

H. T. Thompson
Recorder

On all coupons maturing after March 1, 1954 add the following:

unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

Section 3. The Recorder is hereby authorized and instructed to advertise the aforesaid bonds for sale at the Commission meeting to be held on the 28th day of March, 1952, by the insertion of an advertisement thereof once each week for two successive weeks in the Bend Bulletin, a newspaper published in the City of Bend.

Section 4. WHEREAS, the improvements referred to herein have been completed, and it is necessary to procure funds to pay for the same, and it is necessary for the peace, health and safety of the inhabitants of the City that this ordinance take effect immediate, NOW, THEREFORE,

AN EMERGENCY is declared to exist and this Ordinance shall take effect immediately after its enactment and approval.

W. J. Welcome
Mayor

H. T. Thompson
Recorder.

Passed by the Commission this 10th day of March, 1952, by the following vote:

YEAS: 4 NAYS: 0

Submitted to and approved by the Mayor this 10th day of March, 1952.

R7

ORDINANCE NO. 397

6-111

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:

*Repeated by
NS-1042*

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 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

NS-397

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, diesel, 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 six (6) months 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.

PASSED the Council on the ^H16th day of July, 195²l.
YEAS: 6 NAYS 0

APPROVED by the Mayor the 16th day of July, 195²l.

W. J. Welcome
Mayor of the City of Bend

Attest: H. T. Thompson
Recorder of the City of Bend

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. NS197 SO AS TO ADOPT THE PROVISIONS OF THE STATE LAW AND REGULATIONS OF THE OREGON LIQUOR CONTROL COMMISSION AND REPEALING THE SAID SECTION 4 OF ORDINANCE NO. NS197 AND SUBSTITUTING A NEW SECTION 4 THEREFOR.

Section 1: That Section 4 of Ordinance No. NS197 be and same hereby is repealed and a new Section 4 as follows shall be substituted therefor.

Section 2: That herein, after the passage of this ordinance, the said Section 4 of Ordinance No. NS197 shall read as follows:

Section 4: LICENSEES' HOURS OF SALE: That the provisions of the State Law and Regulations of the Oregon Liquor Control Commission pertaining to hours and days of sale shall apply to any licensees located within the City of Bend.

Section 3: 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 immediately necessary to bring the city ordinance into conformity with the State Law on the subject matter hereof inasmuch as discrimination is being worked against the merchants of the City of Bend by the ordinance repealed herewith and that inasmuch as time is of the essence to remove the discrimination 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 of the mayor.

Read for the first time October 1, 1952.
Read for the second time October 15, 1952
Placed upon its passage October 15, 1952

Yeas: 5

Nays: 0

Submitted to and approved by the Mayor this 15th day of October, 1952.

W. T. Welcome
W. T. Welcome, Mayor

ATTEST:

W. T. Thompson
W. T. Thompson,
Recorder of the City of Bend

8-104-K

ORDINANCE NO. NS400

AN ORDINANCE REPEALING ARTICLE II OF ORDINANCE NO. NS288 SUBSTITUTING THEREFOR A NEW ARTICLE II OF ORDINANCE NO. NS288 DEFINING AN AUCTIONEER; AN AUCTION YARD, CLASSIFYING AUCTIONEERS AS SPECIAL AND GENERAL, MAKING IT UNLAWFUL TO ACT AS AN AUCTIONEER WITHOUT FIRST HAVING OBTAINED A LICENSE, PROVIDING FOR A MAXIMUM OF TWO PERSONS TO BE JOINT AUCTIONEERS ON ONE LICENSE UPON WRITTEN APPLICATION THEREFOR, MAKING IT UNLAWFUL TO OPERATE AN AUCTION YARD WITHOUT FIRST HAVING A DULY LICENSED AUCTIONEER IN CHARGE, REQUIRING A LICENSE FOR AUCTIONEERS AND EXEMPTING CERTAIN PERSONS AND ORGANIZATIONS FROM REQUIRING A LICENSE TO CONDUCT AN AUCTION.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That Article II of Ordinance No. NS 288 be and the same hereby is repealed and the following Article II of the said ordinance No. NS288 is substituted therefor:

Section 1. An auctioneer, for the purposes of this article, shall be any person who, as principal or agent, offers for sale at public outcry any article of merchandise or property to the highest bidder.

Section II. An auction yard, for the purpose of this article, shall be any place, location or site located within the city limits of the City of Bend wherein the public is invited to participate in purchasing any article of merchandise or property at the highest bid price, and also any such location where an auctioneer as defined in Section 1 hereof conducts his or her occupation.

Section 3. For license purposes auctioneers shall be classified and grouped as follows:

Class I. SPECIAL AUCTIONEER: A special auctioneer is an auctioneer who sells or offers for sale any stock of merchandise which has not been for six months immediately preceding the sale, or the offering 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 chattel purchased by the owner for the purpose of resale.

Class II. GENERAL AUCTIONEER: A general auctioneer is any auctioneer, not a special auctioneer.

Section 4. It shall be unlawful for any person to act as an auctioneer within the corporate limits of the City of Bend without first having obtained a license as hereinafter provided except that upon written notice to the Recorder of the City of Bend a license may be issued naming a maximum of two persons who shall be then classed as joint auctioneers, and the license fee shall be the same as if only one applicant applied and either one or both may conduct the said auction at one location and at one time without the need for an additional license.

Section 5. It shall be unlawful to operate an auction yard as above described without first having a duly licensed auctioneer in charge. That nothing herein shall be deemed to preclude the removal of an auction yard to another location so long as all other rules, regulations, laws and ordinances are conformed with.

Section 6. No person, persons, firm, 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 order, decree, or judgement of any court, to residents of the City of Bend when selling their own household property, or to religious groups, charitable organizations, fraternal orders, service clubs or other

8-104-K NS-400

organizations of a non-commercial nature, any of whose objects of holding said auction sale are religious, charitable, fraternal, or, in the case of service clubs and non-commercial groups as well as the other groups, organizations or clubs as mentioned herein, an object benefitting the community as a whole or the youth of the surrounding area by providing an incentive for their endeavors.

Read for the first time November 5, 1952
Read for the second time November 24, 1952
Placed upon its passage November 24, 1952

YEAS: 4

NAYS: 0

Submitted to and approved by the Mayor this 24th day of November, 1952.

W. T. Welcome

W. T. Welcome, Mayor

ATTEST:

W. T. Thompson

W. T. Thompson,
Recorder of the City of Bend.

8-104-L

8-104-L

ORDINANCE NO. NS401

AN ORDINANCE AMENDING A PART OF ARTICLE XIX OF ORDINANCE NO. NS288, AS AMENDED BY ORDINANCE NO. NS309 AND ORDINANCE NO. NS317, CHANGING THE LICENSE FEE FOR AUCTIONEERS (GENERAL), FROM A PER-DAY BASIS TO AN ANNUAL BASIS, AND CHANGING THE FEE THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That that part of Article XIX of Ordinance No. NS288, as amended by Ordinance No. NS309 and Ordinance No. NS317 as it pertains to Auctioneers (General), per day, be amended as follows:

That the license fee of \$5.00 per day required of an Auctioneer (General) per day, be amended and the same be and hereby is amended to read as follows:

Auctioneers (General) per calendar year or
any part thereof \$50.00

Read for the first time August 20, 1952
Read for the second time November 24, 1952
Placed upon its passage November 24, 1952

YEAS: 4

NAYS: 0

Submitted to and approved by the Mayor this 24th day of November, 1952.

ATTEST:

W. T. Welcome
W. T. Welcome, Mayor

W. T. Thompson
W. T. Thompson, Recorder

8-104-L NS-401

An ordinance vacating all that portion of the following described street area located within the City of Bend, County of Deschutes, State of Oregon, more particularly described as follows:

That portion of South Sixth (S.6th) street bounded on the north by the south line of Alden Avenue and on the south by the north line of Glenwood Avenue.

WHEREAS, the City Commission of the City of Bend heretofore on the 15th day of October, 1952, duly and regularly initiated the necessary proceedings to vacate the street above described on its own motion, and

WHEREAS, the City Commissioners having considered the said vacation proceedings to vacate the street area above described and found them to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission Chambers at the City Hall in the City of Bend at 7:30 o'clock p.m., Pacific Standard Time, on the 24th day of November, 1952, at which hearing no objections or remonstrances to such proposed vacation were presented,

NOW THEREFORE

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described street area located within the City of Bend, County of Deschutes, State of Oregon, more particularly described as:

That portion of South Sixth (S 6th) street bounded on the north by the south line of Alden Avenue and on the south by the north line of Glenwood Avenue,

be and the same is hereby vacated.

Read for the first time November 24, 1952.

Read for the second time December 3, 1952

Placed upon its passage December 3, 1952.

YEAS: 6

NAYS: 0

Submitted to and approved by the Mayor this 3rd day of December, 1952.

W. T. Welcome
W. T. Welcome, Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

STATE OF OREGON)
County of Deschutes) SS
City of Bend)

I, W. T. Thompson, the duly appointed, qualified and acting City Recorder of the City of Bend, Oregon, do hereby certify that I have caused to be prepared the attached and foregoing copy of Ordinance No. NS402 passed by the City Commission of the said City of Bend; that I have carefully compared the said copy of said Ordinance with the original thereof as filed in my office and that said copy is a true, full and exact transcript of the original ordinance No. NS402 as passed by the City Commission on the 3rd day of December, 1952, as filed in my office on said day and of the whole thereof.

DATED this 3rd day of December, 1952.

NS-402

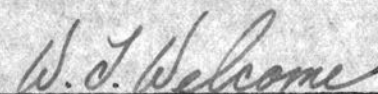
W. T. Thompson
W. T. Thompson, Recorder

AN ORDINANCE RESTRICTING AND PROHIBITING THE RUNNING OF DOGS AT LARGE IN THE CITY OF BEND AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

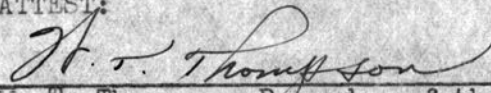
1. It shall be unlawful for any person, persons, firm, corporation, association, or any other entity, to suffer, permit or allow, any dog or animal of the canine family to run at large, regardless of its age, within the corporate limits of the City of Bend at any time in the day or night between the dates of the first day of April continuing until the 30th day of September of any and all calendar years or portion thereof after and following the effective date of this ordinance.
2. Any person violating the provisions of this ordinance shall, on conviction thereof, be punished by a fine of not more than \$50, or by imprisonment in the City Jail for not more than 20 days, or by both such fine and imprisonment.

This ordinance was proposed by initiative petition and received an affirmative majority of the total number of votes cast thereon at a general election held on November 4, 1952. Said affirmative majority was proclaimed by the Mayor of the City of Bend, Oregon, by publication of the ordinance in full once in a newspaper published in the City of Bend, to-wit: The Bend Bulletin on November 13, 1952. By virtue of Section 15 of Chapter X of the Charter of the City of Bend the ordinance became in full force and effect upon the date of the proclamation, to-wit: November 13, 1952.



W. T. Welcome, Mayor

ATTEST:



W. T. Thompson, Recorder of the City of Bend

Ordinance No NS. 404

AN ORDINANCE REPEALING SECTION I of ORDINANCE NO. NS346 AND INSERTING A NEW SECTION I, PROVIDING FOR THE PUBLIC SALE OF REAL PROPERTY OF THE CITY OF BEND, REQUIRING A WRITTEN APPLICATION, AN APPRAISAL CONSTITUTING THE MINIMUM PRICE, REQUIRING A DEPOSIT TO MEET COST OF ADVERTISING, PROVIDING FOR ADVERTISING ON A DATE FIXED FOR SALE, PROVIDING FOR A PUBLIC AUCTION, FIXING A BASE PRICE ON THE BASIS OF THE APPRAISAL PLUS ADVERTISING COSTS, PROVIDING FOR THE APPLICATION OF THE DEPOSIT ON THE PURCHASE PRICE OR A RETURN OF SAID DEPOSIT IN THE EVENT OF A SALE TO ANOTHER BIDDER, AND PROVIDING FOR FORFEITURE IN THE EVENT NO BIDDER EQUALS OR EXCEEDS APPRAISED PRICE, PLUS ADVERTISING COSTS, EXCEPTING PROPERTY IN THE "I - INDUSTRIAL DISTRICT" AS SET FORTH IN ORDINANCE NO. NS342.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Ordinance No. NS346 be, and the same hereby is repealed and the following new Section 1 inserted in lieu thereof:

Any person desiring to purchase real property of the City of Bend shall make application in writing to the Recorder of the City of Bend whereupon, if said real property is for sale and has not been appraised within sixty days prior to the filing of such application, the Commissioners or a majority of them shall, within ten days thereafter, make an appraisal in writing thereof and file same with the Recorder, which appraisal shall constitute the minimum price for the sale of such real property. The party making the application to purchase, if willing to pay not less than such minimum price, shall then deposit with the Recorder a sum of money sufficient to meet the cost of the advertising hereinafter provided for and thereupon the Recorder shall cause a notice to be published in a newspaper published in the City of Bend in three issues one week apart that on a date not less than fifteen days after the first publication of said notice said real property will be offered for sale to the highest bidder at public auction at the front door of the City Hall at an hour between ten o'clock a.m. and four o'clock p.m. at not less than the appraised price which shall be stated in said notice together with cost of advertising; and said notice shall also state the terms of sale. If, at such sale, the applicant becomes the purchaser his deposit shall be applied upon the purchase price and if another person purchases said real estate then such deposit shall be returned to applicant; but if applicant or another does not bid at least the appraised value, plus cost of advertising; then such deposit shall be forfeited to the City of Bend, except that the provisions of this section shall not apply to sale of properties in the "I - Industrial District" zone as set forth in Ordinance No. NS342 of the City of Bend.

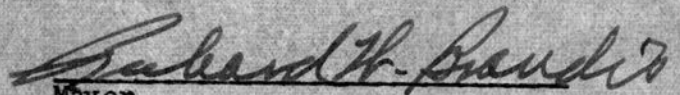
Read for the first time December 17, 1952

Read for the second time January 7, 1953

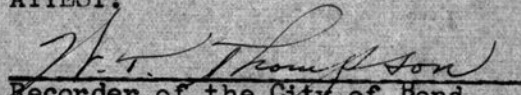
Placed upon its passage January 7, 1953

Yeas: 5 Nays: 0

Submitted to and approved by the Mayor January 7, 1953.


Mayor

ATTEST:


Recorder of the City of Bend

ORDINANCE NO. NS 405

read
2nd time
1-21-53

3-312

An ordinance making it unlawful for pedestrians, bicycle riders and other operating non-motor propelled vehicles to cross at intersections against signals, defining said signals 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 pedestrian, bicycle rider or any other person operating a non-motor propelled vehicle of whatsoever nature to cross within the lined cross-walks or in the proximity of the same, or at any intersection within the City of Bend against the signal of any police officer or mechanical traffic regulating mechanism.

Section 2. The signal of any police officer regulating traffic shall be any signal either audible or manual that will indicate to persons covered in this ordinance that such a crossing is prohibited. The signal of mechanical traffic regulating mechanisms shall be construed to be "walk" and "wait". When the signal "walk" is made visible by lights therein, pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all motor-propelled vehicles. When the signal "wait" is made visible by lights therein, no person covered herein shall start to cross the roadway in the direction of such signal, but any person covered herein who has partially completed his crossing on the "walk" signal shall proceed to a sidewalk when the "wait" is showing. At any intersection where "wait" and "walk" signals are not operating or are not in existence, persons covered herein shall not cross a roadway against a red or "stop" signal.

Section 3. Any person covered herein who shall violate 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 a period not exceeding ten (10) days, or by both such fine and imprisonment.

Read for the first time: January 7, 1953.

Read for the second time: January 21, 1953

Placed upon its passage January 21, 1953

Submitted to and approved by the Mayor January 21, 1953

Richard K. Prandis
MAYOR

ATTEST:

H. T. Thompson
Recorder of the City of Bend

3-312

NS-405

ORDINANCE NO. N. S. 406

An ordinance vacating all that portion of the following described alley located in the portion of Bend, City of Bend, Deschutes County, State of Oregon, more particularly described as follows:

All that portion of the alley lying between Wall Street and Bond Street bordering on Lot One (1), Block Twelve (12), Bend, according to the official plat thereof on file in the office of the County Clerk of Deschutes County, Oregon,

SUBJECT, HOWEVER, to all the franchise rights now held by Pacific Power & Light Company, including the right to maintain, operate, repair, reconstruct, renew, replace, rebuild, and/or enlarge said facilities in said alley, and upon the further condition that no structure be erected in said alley so close to said facilities as to violate any safety provision of the National Electrical Safety Code,

AND FURTHER SUBJECT to all the franchise rights now held by The Pacific Telephone and Telegraph Company, including the right to maintain, operate, repair, reconstruct, renew, replace, rebuild, and/or enlarge said facilities in said alley, and upon the further condition that no structure be erected in said alley so close to said facilities as to violate any safety provision of the National Electrical Safety Code,

AND FURTHER SUBJECT to any other franchise or easement rights of any other person, firm, corporation, partnership or other entity now existing.

WHEREAS, the City Commission of the City of Bend, heretofore on the 15th day of October, 1952, duly and regularly initiated the vacation proceedings to vacate the alley above described in response to a petition for said vacation presented by Mr. E. W. Williamson, one of the petitioners, and

WHEREAS, the City Commissions having considered said vacation proceedings and found them to be in order and to meet the requirements of the law regulating the vacation of alleys, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission Chambers at the City Hall in the City of Bend at 8:00 o'clock P.M. on the 3rd day of December, 1952, at which hearing no objections or remonstrances to such proposed vacation were presented, except by Pacific Power & Light Company and The Pacific Telephone and Telegraph Company, both of whose objections and remonstrances have been considered and made the subject of conditions and restrictions of the vacation, NOW THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS;

That the following portion of the following described alley located in that portion of Bend, City of Bend, Deschutes County, State of Oregon, more particularly described as follows:

All that portion of the alley lying between Wall Street and Bond Street bordering on Lot One (1), Block Twelve (12), Bend, according to the official plat thereof on file in the office of the County Clerk of Deschutes County, Oregon,

SUBJECT, HOWEVER, to all the franchise rights now held by Pacific Power & Light Company, including the right to maintain, operate, repair, reconstruct, renew, replace, rebuild, and/or enlarge said facilities in said alley, and upon the further conditions that no structure be erected in said alley so close to said facilities as to violate any safety provision of the National Electrical Safety Code,

AND FURTHER SUBJECT to all the franchise rights now held by The Pacific Telephone and Telegraph Company, including the right to maintain, operate, repair, reconstruct, renew, replace, rebuild, and/or enlarge said facil-

ities in said alley, and upon the further condition that no structure be erected in said alley so close to said facilities as to violate any safety provision of the National Electrical Safety Code,

AND FURTHER SUBJECT to any other franchise or easement rights of any other person, firm, corporation, partnership or other entity now existing,

be and the same is hereby vacated subject to the said restrictions and conditions.

Read for the first time January 21, 1953.
Read for the second time February 4, 1953.
Placed upon its passage February 4, 1953.

Yeas: 6

Nays: 0

Submitted to and approved by the Mayor this 4th day of February, 1953.

Richard H. Prudis

Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

STATE OF OREGON)
County of Deschutes) ss.
City of Bend)

I, W. T. THOMPSON, the duly appointed, qualified and acting City Recorder of the City of Bend, Oregon, do hereby certify that I have caused to be prepared the attached and foregoing copy of Ordinance No. N.S. 406 passed by the City Commission of the said City of Bend; That I have carefully compared the said copy of said Ordinance with the original thereof as filed in my office and that said copy is a true, full and exact transcript of the original Ordinance No. NS 406 as passed by the City Commission on the 4th day of February, 1953, and as filed in my office on said day and of the whole thereof.

Dated this 4th day of February, 1953.

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend.

ORDINANCE NO. 407

I

AN ORDINANCE providing for the issuance of City of Bend Improvement Bonds in the sum of \$56,000.00; providing and approving the form of the bonds to be issued and the coupons attached thereto; providing for the advertisement and sale of said bonds, and declaring an emergency.

* * * * *

WHEREAS, the Commission of the City of Bend has heretofore proceeded to improve certain streets in said City, and has duly assessed the cost of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of Twenty-five Dollars (\$25.00) or more, aggregating in all the sum of \$56,000.00, have within ten (10) days after notice of such assessment was first published, filed with the City Recorder of said City, written applications to pay said assessments in installments, each and all of which written applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the street for which said assessment is levied, and in the apportionment of the cost thereof; and

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

WHEREAS, in no application received as aforesaid, did the amount of such assessment, including all unpaid assessments or previously bonded liens, exceed its assessed valuation as shown by the last tax roll of Deschutes County; and

WHEREAS, the City Recorder has kept all such applications in convenient form for examination; that is to say, the applications received for such street improvement have been kept separate; and

WHEREAS, the City Recorder has entered in a book kept for that purpose under separate heads for each street and sewer improvement, the date of filing of each application, and the names of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, after the expiration of the time for filing applications for the

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

WHEREAS, each and every act and thing required by the laws of the state of Oregon and by the charter of said City precedent to the issuance of these bonds have been heretofore 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 shall issue bonds in the name of and under the corporate seal of said City in the amount of Fifty-Six Thousand Dollars (\$56,000.00), in the denomination of One Thousand Dollars (\$1,000.00) each, numbered consecutively from 1 to 56, both numbers inclusive, said bonds to bear date March 1, 1953, and 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 serially at the rate of Five Thousand Dollars (\$5,000.00) on the first day of March in each of the years 1954 to 1963, inclusive, and Six Thousand Dollars (\$6,000.00) on March 1, 1964. All of said bonds which mature thereafter shall be subject to call and redemption on March 1, 1955, and on any semiannual interest paying date thereafter, shall bear interest at the rate of not to exceed six percent (6%) per annum, interest payable semiannually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed thereon, which bonds, together with interest thereon, shall be payable at the office of the Treasurer of the City of Bend, and shall be known as City of Bend Improvement Bonds, Series 2.

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, to-wit:

No. _____

\$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF DESCHUTES
CITY OF BEND IMPROVEMENT BOND
SERIES 2

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

ONE THOUSAND DOLLARS

in lawful money of the United States on the presentation and surrender of this obligation on the 1st day of March, 19__, without grace, with interest thereon, at the rate of _____ percent (%) per annum, payable semiannually on the 1st days of March and September of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the office of the Treasurer of the City of Bend, Oregon.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City and Article 1, Chapter 21, Title 95, Oregon Compiled Laws Annotated, as amended, 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 it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuance of this bond.

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

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of March, 1953.

Richard H. Brandin
Mayor

Countersigned:

W. H. Thompson
Recorder

On the face of all bonds maturing after March 1, 1955, add a paragraph reading:

This bond is subject to call and redemption on March 1, 1955, and on any semiannual interest paying date thereafter.

(COUPON)

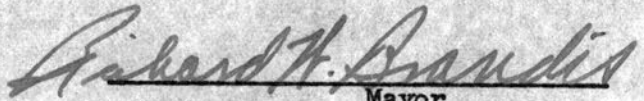
No. _____

\$ _____

THE CITY OF BEND, STATE OF OREGON, will pay to bearer on the first
day of ^{March} ~~September~~ 19____

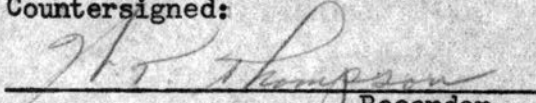
_____ DOLLARS

in lawful money of the United States at the office of the Treasurer of the
City of Bend, being six months' interest on Improvement Bond No. _____,
Series _____.



Mayor

Countersigned:



Recorder

On all coupons maturing after March 1, 1955, add the following:

unless said bond is sooner redeemed, as therein provided,
which redemption will render this coupon void.

Section 3. The Recorder is hereby authorized and instructed to advertise the aforesaid bonds for sale at the Commission meeting to be held on the 7th day of March, 1953, by the insertion of an advertisement thereof once each week for two successive weeks in the Bend Bulletin, a newspaper published in the City of Bend.

Section 4. WHEREAS, the improvements referred to herein have been completed, and it is necessary to procure funds to pay for the same, and it is necessary for the peace, health and safety of the inhabitants of the City that this ordinance take effect immediately, NOW, THEREFORE;

AN EMERGENCY is declared to exist and this Ordinance shall take effect immediately after its enactment and approval.

H. S. Thompson
Recorder

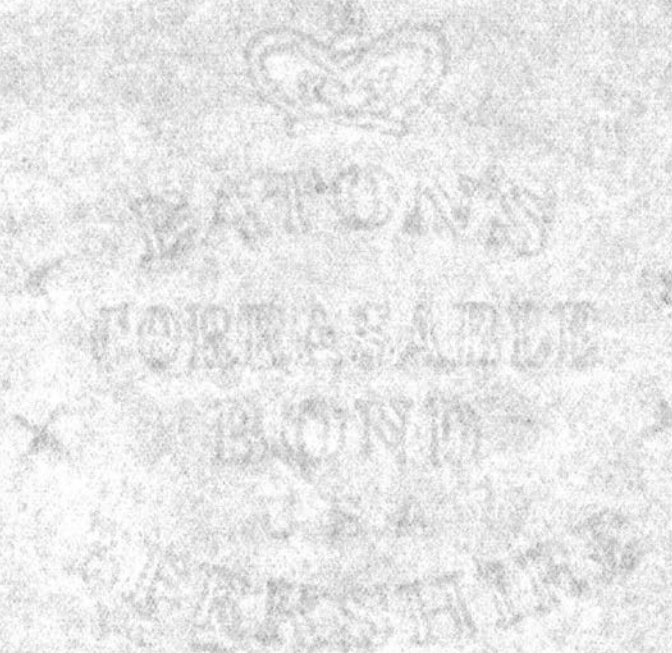
Richard H. Brandis
Mayor

Read for the first time February 4, 1953

Read for the second time February 18, 1953

Placed upon its passage February 18, 1953

Submitted to and approved by the Mayor this 18th day of February, 1953



An ordinance vacating all that portion of the following described alley located in the portion of Riverside, City of Bend, Deschutes County, State of Oregon, more particularly described as:

All that portion of the alley bounded between Lots Four (4), Five (5), and Six (6), and Lot Seven (7), Block Thirteen (13), Riverside, according to the official plat thereof on file in the office of the County Clerk of Deschutes County, Oregon.

WHEREAS, the City Commission of the City of Bend heretofore on the 4th day of February, 1953, ~~1952~~, duly and regularly initiated the vacation proceedings to vacate the alley above described in response to a petition for said vacation presented by Mr. _____, one of the petitioners, and

WHEREAS, the City Commissioners having considered said vacation proceedings and found them to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission Chambers at the City Hall in the City of Bend at 8:00 o'clock P.M., on the 18th day of March, 1953, ~~1952~~, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described alley located in that portion of Riverside, City of Bend, Deschutes County, State of Oregon, more particularly described as:

All that portion of the alley bounded between Lots Four (4), Five (5), and Six (6), and Lot Seven (7), Block Thirteen (13), Riverside, according to the official plat thereof on file in the office of the County Clerk of Deschutes County, Oregon.

be and the same is hereby vacated.

Read for the first time	<u>March 18, 1953</u>	, 1952
Read for the second time	<u>April 15, 1953</u>	, 1952
Placed upon its passage	<u>April 15, 1953.</u>	, 1952 .

Yeas: 6

Nays: 0

Submitted to and approved by the Mayor this 15th day of April, 1953, ~~1952~~.

RICHARD W. BRANDIS, MAYOR

W. T. Welcome

Mayor

ATTEST:

W. T. Thompson
Recorder of the City of Bend

RIISING BOND

STATE OF OREGON)
County of Deschutes) ss.
City of Bend)

I, W. T. THOMPSON, the duly appointed, qualified and acting City Recorder of the City of Bend, Oregon, do hereby certify that I have caused to be prepared the attached and foregoing copy of Ordinance No. N.S. _____ passed by the City Commission of the said City of Bend; That I have carefully compared the said copy of said Ordinance with the original thereof as filed in my office and that said copy is a true, full and exact transcript of the original Ordinance No. N.S. _____ as passed by the City Commission on the _____ day of _____, 1952, and as filed in my office on said day and of the whole thereof.

DATED this _____ day of _____, 1952.

W. T. Thompson
Recorder of the City of Bend

RIISING BOND

An Ordinance granting a franchise, right and authority to C.O.-TV Distributors to operate within the public streets, alleys, and public highways and avenues of the City of Bend, Deschutes County, Oregon, and to erect appurtenances thereon to maintain and use a coaxial cable subscription system for television signal distribution to homes and businesses; incorporating contracts of C.O.-TV with other entities having franchise rights; reserving to public use of public property; setting construction and installation standards; reserving inspection rights; allowing excavations in public property; providing for restoration after excavation; reserving the right to improve public property; setting up procedure for the movement of buildings, machinery, etc.; reserving use of installations of C.O.-TV for City-owned facilities; setting up indemnity provisions; preventing an assignment of the franchise; providing for written acceptance; granting exclusiveness for six months with provision for extensions; setting up a schedule of fees; reserving the right to examine the rate structure and also the distribution policies.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section I. The City of Bend, hereinafter designated as City, does hereby grant to C.O.-TV Distributors, an Oregon Corporation, hereinafter called C.O.-TV, the right, privilege and authority and franchise to operate in, over, upon, and under the streets, alleys, and public highways and avenues of the City of Bend, Deschutes County, Oregon, and to erect antennas and other appurtenances thereon and to maintain and use the same as a coaxial cable subscription system for television signal distribution to subscribers' homes and business establishments within the said City of Bend.

Section II. That any existing contracts or agreements between C.O.-TV and any other person, firm, corporation, partnership or other entity relative to the use of existing poles and transmittal facilities or any other facilities, any of which may have been the subject of a franchise right given by the City to said entity, shall be made a part hereof by incorporation and, before this ordinance is finally passed, shall be appended to and made a part hereof.

Section III. That any rights granted hereunder shall always be subject to the right of the public to free use of public property and that nothing herein shall be construed as granting any right that may interrupt or infringe upon the free use by the people. In the event there is a conflict, C.O.-TV hereby agrees to remove said offending installation at its own expense and further, in the event it fails to do so, authorizes the City to do so and charge the cost thereof to the C.O.-TV Corporation.

Section IV. That all installations made under the authority granted in this franchise shall be made in such a manner as to conform to any and all applicable regulations now in force or which may be enacted in the future for the public health, safety and welfare of the City of Bend and its inhabitants.

Section V. That the City specifically reserves the right, acting through its lawfully constituted agents, to inspect any installations of whatsoever nature, installed under the rights granted herein and that upon a violation found the City may require the offending installations to be removed, replaced, or altered in such manner as to conform to the required specifications.

Section VI. It shall be lawful for said C.O.-TV Distributors to make all needful excavations in any of such streets, alleys, avenues, thoroughfares and public highways in the City for the purpose of placing, erecting, laying, and maintaining poles or other supports or conduits for said wires or repairing,

renewing or replacing same. Said work shall be done in compliance with the necessary rules, regulations, ordinances, or orders which may, during the continuance of the franchise, be adopted from time to time by the City or its lawfully constituted agents.

Section VII. Whenever C.O.-TV Distributors shall disturb any of the streets for the purposes aforesaid, it shall restore the same to good order and condition as soon as practicable without unnecessary delay, and failing to do so the City shall have the right to fix a reasonable time within which such repairs and restoration of streets shall be completed, and upon failure of such repairs being made by C.O.-TV the City shall cause such repairs to be made at the expense of said C.O.-TV.

Section VIII. Nothing in this ordinance shall be construed in any way to prevent the City or its lawfully constituted agents from sewerage, grading, planking, rocking, paving, repairing, altering, or improving any of the streets, alleys, avenues, thoroughfares and public highways within the City in or upon which the poles, wires, or other installations of C.O.-TV shall be placed, but all such work or improvements shall be done if possible so as not to obstruct or prevent the free use of said poles, wires and other installations of C.O.-TV.

Section IX. Whenever it becomes necessary to temporarily rearrange, remove, lower, or raise the aerial cables or wires or other apparatus of the C.O.-TV to permit the passage of any building, machinery, or other object, the said C.O.-TV will perform such rearrangement on seven (7) days' written notice from the person or persons desiring to move said building, machinery or other objects. Said notice shall bear the approval of such 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 C.O.-TV in making such rearrangement 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 C.O.-TV harmless of and from any and all damages or claims of whatsoever kind or nature caused directly or indirectly from such temporary rearrangement of the aerial plant of the C.O.-TV.

Section X. The City reserves to itself the right at any time to use the poles and other installations of C.O.-TV erected or installed under the authority granted in this ordinance for any City-owned facilities of whatsoever nature, but it is agreed that such use shall not interfere with C.O.-TV's use thereof.

Section XI. Prior to the time this ordinance shall create any rights in C.O.-TV, C.O.-TV must provide certificate of insurance showing coverage as follows:

- (a) Compensation Insurance in compliance with all Workmen's Compensation Insurance and Safety Laws of the State of Oregon and amendments thereto;
- (b) Bodily Injury Liability Insurance with limits of \$100,000, each person, and \$200,000, each occurrence; and
- (c) Property Damage Liability Insurance with limits of \$50,000, each accident, and \$100,000 aggregate.
- (d) That included within such coverage as above set forth there shall be a save harmless clause in favor of the City of Bend,

protecting the City from any injuries, property damage and any other liabilities arising in any way from the operation of C.O.-TV, including installation and maintenance of its various facilities.

Section XII. No assignment of this franchise shall be permitted on the part of C.O.-TV without prior approval of the City Commission of the City of Bend.

Section XIII. C.O.-TV shall within 30 days after the effective date of this ordinance file with the City Recorder its written acceptance of the obligations contained herein and its agreement to abide with any regulations herein imposed.

Section XIV. The City agrees that it shall not, for a period of six months, from the final date of passage of this ordinance, grant to any other competing group, partnership, corporation, individual, or any other entity, any right that may conflict with the rights granted herein. That C.O.-TV agrees that it will provide to the City Commission of the City of Bend monthly progress reports, commencing one month after the final passage hereof, and on the basis thereof the City Commission reserves the right to extend the six-month period of exclusiveness herein granted for such additional periods as they may designate. That it is understood between the parties hereto that coaxial television distribution is in the experimental stage in this area and that the period of exclusiveness granted herein is designed to foster and facilitate the development of the scientific and mechanical aspects leading to the ultimate and final satisfactory distribution of television signals to subscribers throughout the City of Bend and the surrounding area. That the City reserves the right at any time to make the period of franchise a determined period not to exceed 20 years in duration and further retains the right to grant exclusive or non-exclusive rights at the City's option, but until such time the City only grants this franchise on a six-month basis.

Section XV. (a) C.O.-TV shall pay to the City not later than 30 days after the end of the first year during which any rentals for the use of C.O.-TV's equipment shall be paid to C.O.-TV by its subscribers, said first year shall not be considered as meaning a calendar year but rather a period of time measured from the day and month of the first installation of equipment for rental use thereof, for a period of time twelve full calendar months thereafter, an amount of money equal to 1% of C.O.-TV's gross local service receipts as above described as rentals. For the second and third years of operation measured by the above set forth standards, the said C.O.-TV shall pay to the City an amount of money equal to 1% of C.O.-TV's gross local service receipts as above described as rentals.

(b) C.O.-TV shall pay to the City for the next two succeeding years, measured by the above set forth standards in Paragraph (a) above, an amount of money equal to 2% of its gross local service receipts as above described as rentals.

(c) That after the five years of operation measured as above set forth, C.O.-TV shall pay to the City of Bend on a yearly basis as above set forth an amount equal to 3% of its gross local service receipts as above described as rentals and shall continue to pay at such rate for the duration of time covered by this franchise.

Section XVI. The City reserves the right at any time during the

period of this franchise to examine the rate structure of C.O.-TV and to direct certain and any rate changes which, in the opinion of the City Commission, are dictated in view of the following considerations:

- (a) That C.O.-TV shall have the right to charge and collect reasonable compensation from persons and groups to whom it shall furnish TV reception and the term "reasonable compensation" may be defined at the discretion of the City after a study and consideration of national figures pertaining thereto and as affected by local conditions in the local system.
- (b) The City bases its rights reserved hereunder upon the inherent and statutory right of the City to perform in the best interests of the people of the City of Bend and to prevent any possible flagrant misuse of the rights granted hereunder.

Section XVII. The City also reserves the right to consider the situation of the area and streets served by C.O.-TV lines and installations and to make recommendations for service to other areas not being served, at any given time. It is agreed that C.O.-TV will attempt to serve as many people and areas as it is physically possible for it so to do and that it is also agreed that C.O.-TV will serve all areas without discrimination.

Section XVIII. C.O.-TV agrees to indemnify and save harmless the City from any and all liability arising from bodily injury or property damage caused by use of the rights granted hereunder.

Read for the first time April 1, 1953.
Read for the second time April 15, 1953
Placed upon its passage April 15, 1953.


YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 15th day of April, 1953.



Mayor

ATTEST:



Recorder of the City of Bend

AN ORDINANCE authorizing and directing the execution and delivery in the name and on behalf of the City of Bend, Oregon, of a contract with Pacific Power & Light Company, a corporation, providing for the furnishing by said Pacific Power & Light Company to said City of electric lighting service upon the streets, highways and public places within the corporate limits of said City for a period of ten (10) years from and after the effective date of this ordinance, a copy of the contract so authorized being set forth in this ordinance, and declaring such service essential to the security and welfare of said City and its inhabitants; and declaring an emergency.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the City of Bend make and enter into a contract with Pacific Power & Light Company, a corporation, providing for the furnishing by said Pacific Power & Light Company to the City of Bend of electric lighting service for lighting the streets, highways and public places within the corporate limits of the City of Bend, for the period of ten (10) years from and after the effective date of this ordinance, which contract shall be signed by the Mayor, sealed with the corporate seal of the City and attested by the Recorder of the City of Bend, and shall be in words and figures as follows:

CONTRACT FOR STREET LIGHTING SERVICE
SUPPLIED FROM A POST-TYPE STREET LIGHTING SYSTEM
INSTALLED, OWNED, OPERATED AND MAINTAINED BY
PACIFIC POWER & LIGHT COMPANY

THIS CONTRACT, made and entered into this 5th day of August, 1953, by and between the City of Bend, a municipal corporation of the State of Oregon, hereinafter designated as the "City", and Pacific Power & Light Company, a corporation, hereinafter designated as the "Company",

WITNESSETH:

WHEREAS the execution of this contract by the City of Bend has been duly authorized and directed by Ordinance No. NS-410 of the City of Bend, approved by the Mayor on the 5th day of August, 1953; and the Company has accepted the undertakings, terms and conditions hereinafter in this contract set forth:

NOW; THEREFORE, the City and the Company do hereby mutually agree as follows:

Section 1. Beginning on the date upon which the Company shall have completed installation of facilities to be installed by the Company hereunder and continuing until this contract shall have been terminated as hereinafter provided, the Company agrees to furnish to the City and the City agrees to take and pay for under the provisions hereof, street lighting service supplied by means of a post-type lighting system as hereinafter described, which the City requires for lighting the streets, highways and public places within the City. This contract shall continue in full force and effect for

the term of ten (10) years, beginning upon the date of first delivery of street lighting service from said facilities to be installed by the Company hereunder.

Section 2. The service to be furnished by the Company and paid for by the City hereunder shall consist of the installation, operation and maintenance by the Company of seventy-two (72) mercury vapor type street lamps of the sizes and at the locations shown on the map marked Exhibit "A", attached hereto and made a part hereof. Each of the lighting standards to be furnished hereunder shall consist of a tapered steel post, complete with upsweep bracket arm and pendent type luminaire, so designed as to bring the light center of said luminaire to a mounting height of approximately thirty feet (30'). Each of said posts shall be mounted upon a concrete base not less than twenty-four inches (24") square by thirty-six inches (36") in depth, except where rock formation may be encountered. In each of said pendent luminaires there shall be installed one (1) 20,000 mercury vapor lamp. Electric energy will be supplied to said lamps from overhead wires.

Section 3. For the street lighting service to be furnished by the Company as hereinbefore provided, the City will pay the Company at the rate of seven dollars and sixty-five cents (\$7.65) per month per 20,000 lumen mercury vapor lamp.

Section 4. It is understood that the Company's rates and charges for said street lighting service are, and at all times shall be, subject to the lawful orders or regulations of the Public Utilities Commissioner of the State of Oregon or any other governmental authority having jurisdiction thereof.

Section 5. Should the Company at any time become unable to obtain new mercury vapor type lamps for replacements hereunder of any lamps theretofore in service hereunder, because of the manufacturer's discontinuing the making of lamps of the same types and lumen ratings, or for any other good cause, the Company will install and thereafter operate at the locations of the lamps so superseded a like number of mercury vapor lamps or approximately similar standard lumen ratings then commercially available, and thereafter the City will pay for the operation and maintenance of such substitute lamps the Company's rates applicable thereto.

Section 6. The Company will at all times hereunder, except when prevented by accident or other cause beyond its reasonable control, supply the necessary electric energy, and the necessary service for switching on and off such energy, for continuous dusk to daylight operation of all lights or lamps provided for hereunder, and will promptly replace all such lights or lamps which shall have burned out or ceased to be useful.

Section 7. Payment for service furnished each month under this contract shall be made by the City to the Company at the Company's office in Bend, Oregon, within ten (10) days after receipt of bill for the service furnished during such month.

Section 8. This contract and all of the terms and provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto, respectively.

Section 2. It is hereby determined by the Commission of the City of Bend that the lighting service provided for in the contract hereby authorized is necessary to enable said City to provide proper protection for itself and the inhabitants thereof, and is essential to the security and welfare of said City and its inhabitants.

Section 3. The Mayor of the City of Bend is hereby authorized and directed to execute and deliver such contract with Pacific Power & Light Company in the name and on behalf of the City of Bend, and the Recorder of the City of Bend is hereby authorized and directed to affix the seal of said City to said contract and to attest the same, upon execution thereof by the Mayor as herein provided.

Section 4. It is hereby adjudged and declared that existing conditions are such that this act is necessary for the immediate preservation of the public peace, health, and safety; and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

Passed by the Commission this 5th day of August, 1953.

Approved by the Mayor this 5th day of August, 1953.

Richard H. Brundis
Mayor of the City of Bend

ATTEST:

W. T. Thompson
W. T. Thompson, Recorder

ORDINANCE NO. NS 411

AN ORDINANCE REPEALING SUBDIVISION 4 IN THE C-II TOURIST COMMERCIAL PART OF SECTION 16 OF ORDINANCE NO. NS-342 AND SUBSTITUTING A NEW SUBDIVISION 4 IN THE C-II TOURIST COMMERCIAL PART OF SECTION 16 OF ORDINANCE NO. NS-342 PROVIDING MINIMUM GROUND AREAS.

The City of Bend does ordain as follows:

Section 1 - That subdivision 4 in the C-II Tourist Commercial part of Section 16 of Ordinance No. NS-342 be and the same hereby is repealed.

Section 2.- That subdivision 4 in the C-II Tourist Commercial part of Section 16 of Ordinance No. NS-342 shall hereinafter read as follows:

- 4. Tourist courts having a minimum ground area of 4,000 square feet for the first unit and 1,000 square feet for each additional unit.

Read for the first time July 15, 1953
Read for the second time August 19, 1953
Placed upon its passage August 19, 1953

Yeas 7 Nays 0

Approved by the Mayor this 19th day of August, 1953.

Richard H. Baudin
Mayor of the City of Bend

ATTEST:

H. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS413 *a*

An ordinance repealing Ordinance No. NS308 and providing in lieu thereof a new ordinance relating to curfew hours for minors under the age of 18 years, prohibiting them from being on streets, highways, parks, alleys and other public places during certain hours unless accompanied by parents and certain other persons or unless engaged in a lawful pursuit requiring said minors' presence; prohibiting parents, guardians or other defined persons from allowing such violations; providing procedures for handling violations and providing penalties therefor.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. NS308 of the City of Bend shall be and the same hereby is repealed and the following substituted therefor.

Section 2. No minor under the age of 18 years shall be in or upon any street, highway, park, alley or other public place between the hours of 12 p.m. and 4 a.m. of the following morning, unless such minor is accompanied by a parent, guardian, or other person 21 years of age or over and authorized by the parent or by law to have care and custody of the minor, or unless such minor is then engaged in a lawful pursuit or activity which requires his presence in such public places during the hours specified in this section.

Section 3. I. No parent, guardian or other person having the care and custody of a minor under the age of 18 years shall allow such minor to be in or upon any street, highway, park, alley or other public place between the hours specified in Section 2 of this act, except as otherwise provided in that section.

S II. Any person violating Section 3 of this ordinance shall be deemed to have committed a misdemeanor and upon conviction thereof in the Municipal Court of the City of Bend shall be fined a sum of money not to exceed \$200.00 or may be imprisoned in the City Jail for a period of time not exceeding 60 days, or by both such fine and imprisonment.

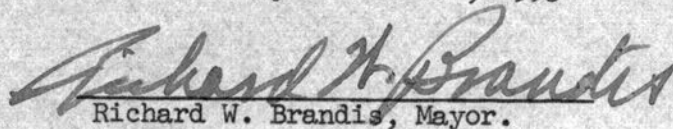
Section 4. I. Peace officers and other law enforcement officers may arrest any minor for a violation of Section 2 of this act.

II. On any first violation of Section 2 of this act, the arresting officer may either:

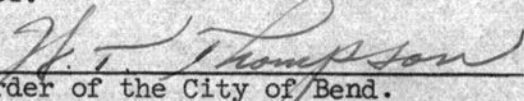
- a. Take or send the minor to its residence and notify the parents, guardian or person having care and custody of the minor concerning the violations, or;
- b. If the officer has reasonable grounds to believe that the parents of the minor are failing to exercise proper control, care or custody of the minor, take the minor directly before the court having juvenile jurisdiction in the county where the arrest was made.

III. On any second or subsequent violations of Section 2 of this act, the minor shall be taken directly before the court having juvenile jurisdiction in the county where the arrest was made for disposition in accordance with the juvenile court laws of this state and may be punished, upon conviction, by a fine of not more than \$50 or by confinement in any detention facilities for juveniles, or both.

Read for the first time October 7, 1953
Read for the second time October 21, 1953
Placed upon its passage October 21, 1953
Approved by the Mayor this 21st day of October, 1953


Richard W. Brandis, Mayor.

ATTEST:


Recorder of the City of Bend.

An ordinance making it unlawful to leave outside of buildings in places accessible to children abandoned ice boxes, refrigerators and other containers equipped with airtight doors without inside releases, or which shall not have said doors and locks removed, and providing penalties for violation.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

It shall be unlawful for any person, firm or corporation to leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded ice box, refrigerator or any other container of any kind which has an airtight door, or lock which may not be released for opening from the inside of said ice box, refrigerator or container.

It shall be unlawful for any person, firm or corporation to leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded ice box, refrigerator or any other container of any kind which has an airtight snap-lock or other device thereon without first removing the said snap-lock or doors from said ice box, refrigerator or container.

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Bend shall be fined not exceeding \$200.00 (Two Hundred Dollars) or by imprisonment in the City Jail for not in excess of 60 (sixty) days. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Read for the first time October 7, 1953

Read for the second time October 21, 1953

Placed upon its passage October 21, 1953

Approved by the Mayor this 21st day of October, 1953.

Richard H. Brandis
Mayor

ATTEST:

H. T. Thompson
Recorder of the City of Bend

8-104-M

ORDINANCE NO. NS 415

An ordinance amending Ordinance No. NS336, by deleting some parts and changing other parts of the said Ordinance No. NS336 and fixing license fees for tables used in card playing.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance No. NS336 shall be and the same hereby is repealed and the following Section 1 shall be substituted in lieu thereof:

Section 1. Before any billiard, card or poolroom license is issued, a fee therefor shall be paid to the Recorder of the City of Bend based as follows:

- For each table except those used for Pinochle only \$12.00 per calendar year in advance
- For each Pinochle table \$ 6.00 per calendar year in advance

Read for the first time November 18, 1953.

Read for the second time December 2, 1953.

Placed upon its passage December 2, 1953.

YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 2nd day of December, 1953.

Richard H. Brandis
Mayor

ATTEST:
H. S. Thompson
Recorder of the City of Bend

NS-415

ORDINANCE NO. NS 416

8-1106

An ordinance amending Ordinance No. NS.316 by repealing and changing a part thereof.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That that portion of Ordinance No. NS-316 which is headed Section 4 be and the same hereby is repealed and that the following shall be inserted in lieu thereof:

Section 4. The following license fees shall be charged to-wit:

Music Boxes	\$5.00 per month, payable quarterly in advance.
Pin Ball Machines	\$1.00 per month, payable in advance.
Gun Machines and Picture Machines	\$2.50 per month, payable quarter-annually in advance.

Any licensee of a device or apparatus described in Sections 2 or 3 of Ordinance NS-311 shall pay a license fee of \$20.00 per month, payable monthly in advance. Any license fees paid under this ordinance shall not be refunded.

Read for the first time November 18, 1953.

Read for the second time December 2, 1953

Placed upon its passage December 2, 1953

YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 2nd day of December, 1953

Richard H. Brandis
Mayor

ATTEST:

H. S. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS 417

An ordinance declaring certain real property and territory to be annexed to the City of Bend, describing said real property and territory, and setting up a condition requiring consent of owner or owners of said real property and territory to said annexation.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The following described real property located in the County of Deschutes, State of Oregon, more particularly described as follows: to-wit:

The NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, Township 18 South, Range 12, E., WM.

be and the same hereby is annexed to the City of Bend and said real property and territory shall be and remain a part of the said City of Bend from and after the effective date of this ordinance.


Section 2. That a condition of the taking effect of this annexation ordinance shall be the consent in writing to such annexation by the owner or owners of any of the property included in the said real property and territory.

Read for the first time 12-2-53

Read for the second time 12-16-53

Placed upon its passage 12-16-53

Submitted to and approved by the Mayor this 16th day of
DECEMBER, 1953.


Richard H. Brando
Mayor

ATTEST:

W. J. Thompson
Recorder of the City of Bend

5282

ordinance no. ns 418

An ordinance declaring the conditions set forth in Ordinance No. NS 417 as having been met and proclaiming the annexation of certain real property and territory to the City of Bend:

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That the conditions set forth in Section 2 of Ordinance No. NS 417 have been met and that the consent of the owner or owners of the said real property and territory herein described has been obtained and filed of record with the City Recorder of the City of Bend in the City Hall in Bend, Oregon.

Section 2. It is hereby proclaimed that the following described real property and territory located in the County of Deschutes, State of Oregon, more particularly described as follows, to-wit:

The Northeast Quarter of the Southwest Quarter (NE¹/₄SW¹/₄), Section 4, Township 18 South, Range 12 E., W.M.

shall be and the same hereby is annexed to the City of Bend.

Read for the first time 12-2-53

Read for the second time 12-16-53

Placed upon its passage 12-16-53

Submitted to and approved by the Mayor this 16th day of DECEMBER, 19 53.

Richard H. Grandis
Mayor

ATTEST:

W. Thompson
Recorder of the City of Bend



An ordinance declaring the conditions set forth in Ordinance No. 100, as having been met and including the annexation of certain real property and territory to the City of Bend.

THE CITY OF BEND WANTS TO ANNEX AS FOLLOWS:

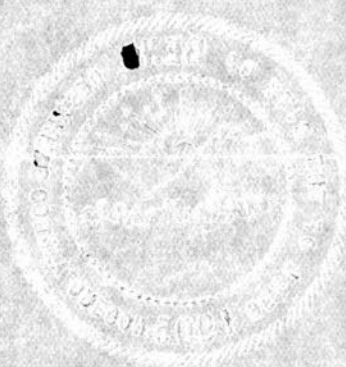
Section 1. That the conditions set forth in Section 2 of Ordinance No. 100 have been met and that the amount of the interest or amount of the said real property and territory herein described has been obtained and filed of record with the City Recorder of the City of Bend in the City Hall in Bend, Oregon.

Section 2. It is hereby proclaimed that the following described real property and territory located in the County of Deschutes, State of Oregon, more particularly described as follows, to-wit:

The Northwest Quarter of the Southwest Quarter (NW 1/4), Section 14, Township 13 North, Range 12 E., W.M.

shall be and the same hereby is annexed to the City of Bend.

Read for the first time 10-2-53
Read for the second time 10-15-53
Filed upon the passage 10-15-53
Certified to and approved by the Mayor this 15th day of



5282

Recorder of the City of Bend

No.

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 22nd day of December A. D. 1953 at 2:28 o'clock P. M. and recorded in book 106 on page 31

Record
By Helen M. Dancy County Clerk
By Laura Barrett Deputy

INDEXED

ORDINANCE NO. NS 419

An ordinance amending Section 3, Section 12 and Section 14 of Ordinance No. NS137 so as to expand Division A of Section 3, to change the hours in Section 12 and to lower the lighting requirements in Section 14.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That there shall be added to Section 3 of Ordinance No. NS137 a new sub-section (3) to read as follows:

- (3) School dances and those dances held under the supervision of school authorities, and dances held under the sponsorship or with the approval of the office of the City Youth Counselor and the office of the City Recreation Director.

Section 2. Section 11 of Ordinance No. NS137, as amended by Section 11 of Ordinance No. NS361, is repealed and the following Section 11 shall be substituted in lieu thereof:

Section 11. All dances shall be discontinued and all dance halls shall be closed on or before the hour of eleven o'clock P.M.; provided, however, that upon application of a responsible person, organization or society a permit to continue until a time specified in such permit may be granted by the Chief of Police.

Section 3. Section 12 of Ordinance No. NS137 is repealed and the following Section 12 shall be substituted in lieu thereof.

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, and/or dances held under the sponsorship or with the approval of the office of the City Youth Counselor and the office of the City Recreation Director.

Section 4. Section 14 of Ordinance No. NS137 is repealed and the following Section 14 shall be substituted in lieu thereof:

Section 14. The hall shall be sufficiently illuminated so that all persons and objects shall be clearly visible from any point in the hall.

Section 5. That inasmuch as the passage of this ordinance is necessary for the

immediate preservation of the peace, health and safety of the City of Bend in that there are many activities already scheduled which will or may be in violation of the existing ordinance during the coming holiday season and that without the immediate passage hereof serious enforcement problems may arise, an emergency is hereby declared to exist and this ordinance shall become immediately operative upon its passage by an affirmative vote of all members of the Commission and its signing by the Mayor.

Read for the first time December 16, 1953.
Read for the second time December 28, 1953.
Placed upon its passage December 28, 1953.

YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 28th day of December, 1953.


/s/ RICHARD W. BRANDIS, Mayor

ATTEST:

/s/ W. T. Thompson,
Recorder of the City of Bend.

AN ORDINANCE PROHIBITING THE ELECTRICAL ENERGIZATION OF ANY FENCING, WIRE OR OTHER CONSTRUCTION USED AS A FENCE, MAKING EACH DAY OF VIOLATION A SEPARATE OFFENSE, AND PROVIDING A PENALTY FOR VIOLATION.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

- Section 1. From and after the effective date of this ordinance it shall be unlawful for any person, firm, corporation, partnership or other entity to electrically energize any fencing, wire or any other construction used as a fence within the corporate limits of the City of Bend.
- Section 2. That each day a violation of this ordinance exists shall be deemed a separate violation.
- Section 3. Upon conviction of a violation of this ordinance the offender shall be subject, as a penalty therefor, in the municipal court of the City of Bend to a fine not to exceed the sum of \$40.00 or imprisonment in the City Jail not to exceed a period of ten (10) days, or by both such fine and imprisonment.

Read for the first time January 6, 1954.
Read for the second time January 20, 1954.
Placed upon its passage January 20, 1954.

YEAS: 7 NAYS: 0

Submitted to and approved by the Mayor this 20th day of January, 1954.

Richard H. Brandis
Mayor

ATTEST:

W. T. Thompson
Recorder of the City of Bend

ORDINANCE NO. NS-421

8-206

AN ORDINANCE PERTAINING TO THE OPERATION AND USE OF TAXICABS, DEFINING TERMS, REQUIRING A PERMIT TO OPERATE AND SETTING UP PROVISIONS THEREFOR, PROVIDING FOR CERTIFICATES FOR EACH TAXICAB, RATIFYING PRESENT STANDS AND PROVIDING PROCEDURE FOR ADDITIONAL STANDS, PROHIBITING TAXICAB PARKING IN METERED ZONES, PROVIDING FOR TELEPHONE STANDARDS, PROVIDING FOR SAFE SERVICE, CONTAINING REGULATIONS PERTAINING TO DRIVERS AND REQUIRING DRIVERS TO OBTAIN PERMITS TO OPERATE, PROVIDING FOR SUSPENSION AND REVOCATION OF DRIVERS' PERMITS, SETTING UP VARIOUS UNLAWFUL ACTS, A SAVING CLAUSE, REPEALING CONFLICTING ORDINANCES, SETTING FORTH PENALTIES, PROVIDING FOR INSURANCE COVERAGE AND THE PAINTING OF NEWLY ACQUIRED TAXICABS WITH CERTAIN INFORMATION.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The following ordinances of the City of Bend shall be and the same hereby are repealed: Ordinance No. NS-323, amending Article VII of Ordinance No. NS-288 which is also repealed hereby, and Ordinance No. NS-385.

Section 2. Definitions:

Taxicab: Term as used in this ordinance shall mean self-propelled motor vehicles moving within and around the corporate limits of the City of Bend for the purpose of transporting passengers and/or persons for hire to destinations either within or without the corporate limits of the City of Bend, except those commonly known as buses and vehicles operating on a fixed route and U-Drive for-rent cars.

Owner: As used herein shall mean any individual, partnership, firm, association, corporation or other entity having the use or control of one or more taxicabs and is the licensee or applicant for license to operate a taxicab business within the City of Bend.

Person: This term as used herein means any owner as herein defined or any individual who is the driver or operator of a taxicab as an agent or employee of the owner.

Company: This term as used herein means any business entity whether it be individual, partnership, corporation, firm or other entity operating a taxicab company under the terms of this ordinance.

Section 3. A. Every company hereafter desiring to operate a taxicab within the corporate limits of the City of Bend must of necessity first obtain a permit to so operate and shall pay therefor according to the following schedule:

- a. For each taxicab which shall use a designated street stand for which a certificate is obtained the company shall pay the sum of \$25.00 per calendar year or portion thereof.
- b. For each taxicab which shall not use a designated street stand for which a certificate is obtained the company shall pay the sum of \$15.00 per calendar year.

B. Each company desiring to operate a taxicab within the corporate limits of the City of Bend shall make application for a permit and a certificate for each taxicab, which application shall contain the following information:

- a. Description of vehicles and registration for each as evidence of ownership, which registration shall be returned to the company as soon as the necessary information is obtained therefrom.
- b. The names and addresses of the individuals who comprise the company and whether such individuals are owner, lessees or other employees of said company.
- c. The name of the manager if different from owner or employees of the company.
- d. A statement setting forth the number of taxicabs that will be kept available for service in the event such a need arises.
- e. The number and location of proposed stands.

C. Any changes of addresses or individuals in the personnel described in this sub-section "B" shall be immediately reported to the Police Chief.

D. The application above set forth must be submitted to the Police Chief for approval, then submitted to the City Commission for its approval, and the permit to operate per the application is to be granted by resolution setting forth a finding of public necessity and convenience.

E. On the basis of the approval of the basic permit by the City Commission, the Police Chief shall cause individual certificates to be issued which shall be placed in each taxicab operated within the City of Bend and it shall be unlawful to operate any vehicle as a taxicab without first having placed such a certificate in said vehicle. Said certificates shall not be transferable and shall contain a description of each cab sufficient for identification and shall be turned back to the Police Chief when the taxicab it applies to is disposed of.

F. Every taxicab hereinafter newly placed in service by the company shall have signs either painted or applied on each side and on the rear thereof in letters and/or numerals at least two (2) inches high and one-half (1/2) inch in width the following information:

- a. The company name.
- b. The cab number.

That this sub-section shall not apply to taxicabs presently in service under permit, but shall only apply to newly acquired vehicles.

Section 4. Application for additional taxicab stands shall be made to and through the Police Chief and must be approved by the City Commission. Present and existing stands are herewith ratified as being approved. It shall be unlawful for any taxicab to park in a metered zone except when engaging in loading or unloading.

Section 5. Application for telephone standards shall be made to and through the Police Chief and must be approved by the City Commission. As a condition of approval of telephone standards it is understood that all police officers shall have free use and access to said phone boxes mounted on said standards. All and existing telephone standards are herewith ratified as being approved subject to the free use and access by police officers.

Section 6. Service provided by any taxicab company shall be safe. Careful

operation of all taxicabs shall be the responsibility of the company.

Section 7. Drivers of taxicabs operated by taxicab companies herein set forth shall be clean and neat and it shall be the responsibility of the company to see that this section is not violated.

Section 8. Every chauffeur or driver of a taxicab as defined herein shall, before entering on such duties, make application to the Chief of Police for an identification card and badge with corresponding number placed on each. The applicant shall furnish two pictures of not less than 2x2½ inches and also provide finger prints on the application. The application shall contain sufficient information for identification and shall be kept on file in the office of the Chief of Police. Upon receipt of said application together with a fee of \$2.00 to cover the administrative cost, the Police Chief may in his discretion issue an identification card and the badge to the applicant. Said card and badge shall not be transferable and the card shall have placed thereon a picture of the applicant. Said card shall be placed in the vehicle the driver is operating and shall be readily accessible to view by passengers therein. The badge shall be worn on the cap or uniform of the operator. Neither the card or badge shall be transferable and must be returned to the Chief of Police upon the individual driver ceasing the occupation of taxicab driver.

Section 9. The identification card and badge as provided for in Section 8 above shall be in the nature of a permit to operate as a taxicab driver and said permit shall be revocable in the discretion of the Chief of Police for cause of incompetency or impropriety of conduct. Upon such revocation or suspension the Chief of Police shall submit a report thereon to the City Commission and the driver affected thereby may appeal such revocation of permit to the City Commission in writing within ten days from the date of suspension or revocation.

Section 10. The following acts are deemed to be unlawful acts and in addition to the penalties provided herein shall also be cause for a revocation or suspension of the rights granted herein but said rights shall all be considered of a discretionary nature granted at the discretion of the City Commission and Police Chief where his action is discretionary.

1. A violation of any of the terms, conditions, or sections of this ordinance.
2. A violation of any of the laws of the State of Oregon, Ordinances of the City of Bend and other applicable regulations of whatever nature.
3. To use the taxicab for immoral purposes or aid in procuring women for immoral purposes.
4. For any driver of any taxicab to use profane or abusive language in the presence of passengers or prospective passengers.
5. For driver to loudly solicit passengers on the streets or in the vicinity of the taxicab stands as provided for herein.
6. To use or cause to be used the taxicabs provided for herein for the transportation of alcoholic liquor to unlicensed premises or to engage in handling, delivering, or supplying such alcoholic liquor to unlicensed premises.

Section 11. If any sections or part of this ordinance shall be declared by a court of competent jurisdiction to be unlawful, illegal or unconstitutional such a declaration shall not have any effect upon the rest of the various sections or parts of this ordinance.

Section 12. All ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 13. For a violation of any of the terms, conditions, sections or parts

thereof of this ordinance and upon conviction thereof in the Municipal Court of the City of Bend, the offending person, or company, shall be liable to a fine of not to exceed \$200 or by imprisonment in the City Jail for a period not to exceed 60 days or by both such fine or imprisonment.

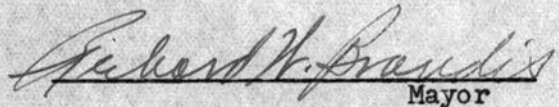
Section 14. Any licenses for taxicab operation granted prior to the effective date of this ordinance shall be null and void after the effective date of this ordinance except that any fees paid therefor shall be transferred and considered as payment under the ordinance herein set forth, but all owners or companies must submit application as herein provided for before such a transfer shall be effective.

Section 15. No permit or certificate as provided for herein shall be issued until the company or owner shall provide and file with the Recorder of the City of Bend evidence of liability insurance coverage against liability of whatsoever nature arising from the operation of the taxicabs provided for herein in the minimum amount of \$5,000.00 for each passenger, computed on the basis of the number of passenger spaces in each vehicle operated as a taxicab, in addition to minimum each accident coverage of \$20,000.00, plus property damage coverage of not less than \$10,000.00.

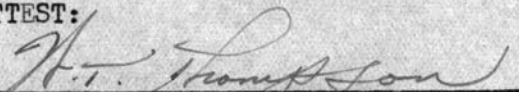
Read for the first time January 6, 1954
Read for the second time January 20, 1954.
Placed upon its passage January 20, 1954.

YEAS: 7 NAYS 0

Submitted to and approved by the Mayor this 20th day of January, 1954.


Mayor

ATTEST:


Recorder of the City of Bend.

ORDINANCE NO. NS 422

An ordinance vacating all that portion of the following described street area located within the City of Bend, County of Deschutes, State of Oregon, more particularly described as follows:

That portion of South Seventh street bounded on the north by the south line of Alden Avenue and on the south by the north line of Glenwood Avenue.

WHEREAS, the City Commission of the City of Bend heretofore on the sixth day of January, 1954, duly and regularly initiated the necessary proceedings to vacate the street above described on its own motion, and

WHEREAS, the City Commissioners having considered the said vacation proceedings to vacate the street area above described and found them to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission Room in the City Hall in the City of Bend at 8:00 p.m. on February 17, 1954, at which hearing no objections or remonstrances to such proposed vacation were presented,

NOW THEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described street area located within the City of Bend, County of Deschutes, State of Oregon, more particularly described as:

That portion of South Seventh street bounded on the north by the south line of Alden Avenue and on the south by the north line of Glenwood Avenue,

be and the same is hereby vacated.

Read for the first time February 17, 1954
Read for the second time MARCH 3, 1954
Placed upon its passage 61 " "

YEAS: 5 NAYS: 0

Submitted to and approved by the Mayor this 3rd day of MARCH, 1954.

Richard H. Brundage
Mayor

ATTEST:

W. Thompson
Recorder of the City of Bend

STATE OF OREGON)
COUNTY OF DESCHUTES)

No. 7299
{ STATE OF OREGON }
{ County of Deschutes }
I hereby certify that the within instrument
of writing was received for Record
the 24th day of March
A. D. 1954 at 4:20 o'clock P.M.
and recorded in book 106
on pages 528 Record
Deeds
Helen M. Dacey County Clerk
By *Laura Bassett* Deputy

INDEXED

ORDINANCE NO. NS-423

An Ordinance regulating television and radio masts and towers; providing for licensing of installers with requisites for the issuance thereof; setting fee for same and a time limit for the acquisition thereof; providing for a permit for each installation and requisites therefor including a graduated fee schedule; providing specifications for the erection thereof; providing for inspection of present installations and abatement of unsafe and structurally unsound installations plus a penalty for the continuance thereof, and finally providing a penalty for the violation of the ordinance.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION I This ordinance is designed to regulate the erection, construction, alteration, repair and maintenance of masts, towers or any installation of like nature that will cause a rod or pole of metal or other material to be projected into the air from either the ground or from the roof or side portions of a building for the purpose of receiving or transmitting radio signals or what is commonly known as television signals; but this ordinance shall not apply to installations of like nature in or upon motor vehicles.

SECTION II No person, firm, partnership, corporation or other business entity shall engage in the business of erecting, constructing, repairing, maintaining or building any of the towers or masts as set forth in Section I hereof, without first obtaining from the Office of the City Recorder-Treasurer of the City of Bend, a license to engage in such business. Any persons or business entities as herein this paragraph described shall, before said license is granted, make application therefor to the City Recorder-Treasurer which application shall contain answers to the following questions, which questions and the answers thereto shall constitute the requirements for the issuance of the said license:

- 1) The business location of the applicant. (As a prerequisite to the granting of a license all applicants must have an established place of business within the corporate limits of the City of Bend.
- 2) The names and home addresses of the partners, corporate officials, managers, or other persons in charge of the business entity.
- 3) The name of the insurance company in which the applicant carries the following insurance (all applicants must provide an endorsement from said insurance policy evidencing insurance coverage against liability on installations, including completed job, or other clause covering continuing liability): \$10,000.00 each person; \$20,000.00 each accident or occurrence; \$10,000.00 property damage.

Cancellation of this coverage will automatically result in revocation of license granted hereunder.

- 4) Accompanying each application shall be a payment of \$10.00, which payment shall be and hereby is declared to be the license fee for each calendar year, or portion thereof. (This fee of \$10.00 is determined to be reimbursement to the City of Bend for the supervision of the enforcement of this ordinance so far as this section is concerned.)

The City Recorder shall issue the appropriate license to all applicants meeting the requirements of this section for a calendar year or portion thereof. Each licensee shall re-apply for a renewal license in accordance with the provisions of this section prior to January 1 of each year.

All business entities desiring to engage in the practices herein set forth shall make application for license within ten days after the effective date of this ordinance. After the ten-day period as herein provided for has passed no business entity of whatsoever nature shall engage in the practices herein set forth without first having obtained a license so to do.

SECTION III Each and every person, firm, partnership, corporation, or other business entity of whatsoever nature desiring to erect or have erected or installed, a mast or tower as in Section I hereof provided on premises which he or they own, rent, lease, or otherwise have control over, shall, before said erection or installation, obtain a permit for such from the City Recorder-Treasurer. Before a permit shall be issued the following information must be provided to the City Recorder-Treasurer:

- 1) Name and address of applicant
- 2) The name of the proposed installer
- 3) Proposed height of installation from its base or low point, the type of mast or tower proposed; with a rough sketch of the tower or mast, sufficiently clear for understanding of the type of installation. In addition, for all installations over fifty (50) feet from base to top, there shall be required two sets of detailed drawings showing the proposed installation.
- 4) Accompanying each application for such permit shall be a fee based on the following formula:

\$2.00 for the first fifty (50) feet
\$1.00 additional for each additional ten (10)
feet or fraction thereof, but not to
exceed a total fee of \$10.00.

SECTION IV. All applications for permit as provided for in Section III hereof shall be cleared with the office of the City Engineer who shall withhold approval until satisfied the proposed installation is both sound structurally, and safe.

SECTION V. All installations of towers and masts as herein provided for shall be erected and installed in accordance with the following regulations:

- 1) The mast shall be guyed every ten (10) feet and the mast shall be grounded with at least No. 14 copper or No. 12 aluminum wire; and the ground shall be attached to a cold water pipe with an approved ground clamp or an approved ground rod not less than 1/2" in diameter and eight (8) feet in length may be used.
- 2) Masts and towers shall not be attached to or supported by parapet walls, chimneys, vent pipe, etc.
- 3) Screw eyes and hooks shall not be used for attaching guy wires. Use 1 1/2" x 1 1/2" angle iron attached to two rafters with not less than two 3/8" x 4" lag screws.
- 4) No less than three guy anchors shall be used to guy mast and if three are used, they shall be 120° apart.
- 5) On flat-roofed commercial buildings two sills shall be used under the mast base to distribute the load on the rafters, and two drawings furnished with permit application showing size, space and length of roof joists, plus height of mast and guys.
- 6) On flat-roofed commercial buildings, steel or iron frame shall be used for guy anchors to provide eight feet of clearance for fire-fighting purposes. Through bolts shall be used on back legs. Care is to be taken to see that there is adequate support for the mast base as, under icy conditions and wind, there can be 1,000 to 2,000 pounds load applied to the point.
- 7) All guy wire is to be not less than 6x19 stranded steel cable.
- 8) Turnbuckles when used shall be protected against turning by threading the guy wires through the turnbuckle.
- 9) All installations shall be structurally sound; shall be of weather-proofed metal construction, and shall be made to meet all State and local safety requirements provided radio transmission masts and antennas need not be of all-metal construction.

10) a - No antennas, masts or towers shall be installed in such close proximity to any electric, telephone, telegraph or other utility line or wire so that the antennas, masts or towers, if overturned or blown down, would or could come in contact or within two feet of any such wire or line, provided however that this provision shall not apply to a service lead or drop.

b - Where the strict application of the provision of sub-division "a" of this sub-section shall make it difficult or virtually impossible to install or erect a mast or tower as in this ordinance provided for because of the peculiar or particular location of buildings or premises and the utility wires in close proximity thereto, a special permit may be issued for the installation of any such antennas, masts or towers, provided the application therefor be first approved by the office of the City Engineer and the application shall set forth the undue hardship created by the strict application of Paragraph "a" of this sub-section; and the City Engineer is directed to approve such application if he finds that the installation will not be unreasonably or unduly hazardous and will not constitute a menace to persons or property; and further, the City Engineer, prior to the permission as herein provided for, if in his discretion he feels such is warranted, may require as a prerequisite to the approval evidence by endorsement of an insurance policy identical in coverage to that provided for in Section II hereof for installer.

12) Guys must be placed so that wire length from the base of the installation shall be equal to 1/2 the height of the mast or tower.

SECTION VI As to present and existing installations of radio or television antennas, masts or towers, it is the desire of the City Commission of the City of Bend that all of these installations be of a safe and structurally sound type of installation and, in that regard, the office of the City Engineer is directed to examine all of these said installations and to report back to the City Commission any installations that, in its opinion, are unsafe or structurally unsound; and if the City Commission so finds, shall declare such installation to be a nuisance and shall direct the City Attorney to take such steps to abate such nuisances or the City Commission may also direct the City Recorder to send a registered letter to the offending owner informing him of the unsafe condition of the installation and giving the said property owner ten days in which to correct any conditions that may be found; and if the said property owner shall fail to remedy the deficiency within the time stated then each day said deficiency is permitted to exist thereafter shall be considered a misdemeanor and upon conviction therefor in the Municipal Court of the City of Bend shall be liable to a fine of not more than \$50.00 or by imprisonment in the City Jail for a period not exceeding ten days, or by both such fine and imprisonment.

SECTION VII Any person, firm, partnership, corporation or other business entity violating any provision of this ordinance except those enumerated in Section VI hereof, which carries its own penalty, shall upon conviction in the Municipal Court of the City of Bend be fined in the sum not exceeding \$200.00 or be imprisoned in the City Jail for a period not exceeding 60 days or by both such fine and imprisonment.

Read for the first time May 5, 1954
Read for the second time May 19, 1954
Placed upon its passage May 19, 1954

YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 19th day of May, 1954.

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

/s/ RICHARD W. BRANDIS, Mayor

Richard W. Brandis

NS-423

ORDINANCE NO. *NS-423 a*

AN ORDINANCE providing for the issuance of City of Bend Improvement Bonds in the sum of \$59,000.00; providing and approving the form of the bonds to be issued and the coupons attached thereto; providing for the advertisement and sale of said bonds, and declaring an emergency.

WHEREAS the Commission of the City of Bend has heretofore proceeded to improve certain streets in said City, and has duly assessed the cost of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of Twenty-five Dollars (\$25.00) or more, aggregating in all the sum of \$59,000.00, have within ten (10) days after notice of such assessment was first published, filed with the City Recorder of said City, written applications to pay said assessments in instalments, each and all of which written applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the street for which said assessment is levied, and in the apportionment of the cost thereof; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment, including all unpaid assessments or previously bonded liens, exceed its assessed valuation as shown by the last tax roll of Deschutes County; and

WHEREAS, the City Recorder has kept all such applications in convenient form for examination; that is to say, the applications received for such street improvement have been kept separate; and

WHEREAS, the City Recorder has entered in a book kept for that purpose under separate heads for each street and sewer improvement, the date of filing of each application, and the names of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, after the expiration of the time for filing applications for the

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

WHEREAS, each and every act and thing required by the laws of the state of Oregon and by the charter of the said City precedent to the issuance of these bonds have been heretofore 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 shall issue bonds in the name of and under the corporate seal of said City in the amount of Fifty-nine Thousand Dollars (\$59,000.00), in the denomination of One Thousand Dollars (\$1,000.00) each, numbered consecutively from 1 to 59, both numbers inclusive, said bonds to bear date May 1, 1954, and 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 serially at the rate of Five Thousand Dollars (\$5,000.00) on the first day of May in each of the years 1955 to 1961, inclusive, and Six Thousand Dollars (\$6,000.00) on the first day of May in each of the years 1962 to 1965, inclusive. All of said bonds which mature thereafter shall be subject to call and redemption on May 1, 1956, and on any semiannual interest paying date thereafter, shall bear interest at the rate of not to exceed six percent (6%) per annum, interest payable semiannually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed thereon, which bonds, together with interest thereon, shall be payable at the office of the Treasurer of the City of Bend, and shall be known as City of Bend Improvement Bonds, Series 3.

On the face of all bonds maturing after May 1, 1956, add a paragraph reading:

This bond is subject to call and redemption on May 1, 1956,
and on any semiannual interest paying date thereafter.

(COUPON)

No. _____ \$ _____

THE CITY OF BEND, STATE OF OREGON, will pay to bearer on the first
day of ^{May} November 19 _____

_____ DOLLARS

in lawful money of the United States at the office of the Treasurer of
The City of Bend, being six months' interest on Improvement Bond No. _____,
Series _____.

Mayor

Countersigned:

Recorder

On all coupons maturing after May 1, 1956, add the following:
unless said bond is sooner redeemed, as therein provided,
which redemption will render this coupon void.

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, to-wit:

No. _____

\$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF DESCHUTES
CITY OF BEND IMPROVEMENT BOND
SERIES 3

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

ONE THOUSAND DOLLARS

in lawful money of the United States on the presentation and surrender of this obligation on the 1st day of May, 19____, without grace, with interest thereon, at the rate of _____ percent (___%) per annum, payable semiannually on the 1st days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the office of the Treasurer of the City of Bend, Oregon.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City and Chapter 223-205 Oregon Revised Statutes, et seq, as amended, 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 it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuances of this bond.

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

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of May, 1954.

Mayor

Countersigned:

Recorder

NS-423 a

Section 3. The Recorder is hereby authorized and instructed to advertise the aforesaid bonds for sale at the Commission meeting to be held on the 7th day of May, 1954, by the insertion of an advertisement thereof once each week for two successive weeks in the Bend Bulletin, a newspaper published in the City of Bend.

Section 4. WHEREAS, the improvements referred to herein have been completed, and it is necessary to procure funds to pay for the same, and it is necessary for the peace, health and safety of the inhabitants of the City that this ordinance take effect immediately,

NOW THEREFORE, AN EMERGENCY is declared to exist and this ordinance shall take effect immediately after its enactment and approval.

Read for the first time April 7, 1954

Read for the second time April 21, 1954

Placed upon its passage April 21, 1954

Submitted to and approved by the Mayor April 21, 1954.

J. S. Thompson
Recorder

Richard H. Brandes
Mayor

Vol. 107
Page - 156

Original Mailed to County
Clerk for Recording
5-8-54

ORDINANCE NO. NS 424

An ordinance vacating all that portion of the following described street area located within the City of Bend, County of Deschutes, State of Oregon, more particularly described as follows:

Beginning at the angle point on the westerly side of Lot 1, Block 9, River Terrace Addition to the City of Bend, thence north 54.57 feet to the southeast corner of Lot 8, Block 15, Awbrey Heights Addition to the City of Bend; thence west along the line of Saginaw Avenue a distance of 54.57 feet; Thence south 45°00' east a distance of 77.17 feet to the point of beginning.

WHEREAS, the City Commission of the City of Bend, heretofore on the seventeenth day of February, 1954, duly and regularly initiated the necessary proceedings to vacate the street above described on its own motion, and

WHEREAS, the City Commissioners having considered the said vacation proceedings to vacate the street area above described and found them to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law a public hearing was held at the Commission Room in the City Hall in the City of Bend at 8:00 p.m. on April 7th, 1954, at which hearing no objections or remonstrances to such proposed vacation were presented,

NOW, THEREFORE, THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described street area located within the City of Bend, County of Deschutes, State of Oregon, more particularly described as follows:

Beginning at the angle point on the westerly side of Lot 1, Block 9, River Terrace Addition to the City of Bend, thence north 54.57 feet to the southeast corner of Lot 8, Block 15, Awbrey Heights Addition to the City of Bend; thence west along the line of Saginaw Avenue a distance of 54.57 feet; thence south 45°00' east a distance of 77.17 feet to the point of beginning.

be and the same is hereby vacated.

Read for the first time April 7, 1954
Read for the second time April 21, 1954
Placed upon its passage April 21, 1954

YEAS: 5 NAYS: 0

Submitted to and approved by the Mayor this 21st day of April, 1954.

Richard H. Brandt
Mayor

ATTEST:
H. S. Thompson
Recorder of the City of Bend.



ORDINANCE NO. 425

AN ORDINANCE VACATING THE ALLEY IN BLOCK SEVEN (7), RIVER TERRACE ADDITION TO THE CITY OF BEND, DESCHUTES COUNTY, OREGON.

WHEREAS, the City Commission of the City of Bend was heretofore on the 21st day of April, 1954, duly and regularly petitioned to vacate the alley above described, and

WHEREAS, said Petition was found to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend, Oregon, at eight o'clock P. M. on the 2nd day of June, 1954, at which hearing no objections or remonstrances to such proposed vacation were presented, now therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the Alley in Block Seven (7), River Terrace Addition to the City of Bend, Deschutes County, State of Oregon be and the same is hereby vacated, provided that nothing herein contained shall cause or require the removal or abandonment of any sewer, water main, gas main, conduit of any kind, wire, pole, or thing used or intended to be used for any public service; and the right hereby is reserved for the owner of any such utility or thing to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things.

Read for the first time June 2nd, 1954.

Read for the second time 6-16-54

Placed upon its passage 6-16-54

YEAS: 6

NAYS: 0

Submitted to and approved by the Mayor this 16th day of June, 1954.

Richard H. Brando
Mayor

Attest:

H. T. Thompson

Recorder of the City of Bend

451



No. _____

{ STATE OF OREGON }
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 21st day of April A. D. 1954 at 9:30 o'clock AM and recorded in book 108 on page 129 130 Record

INDEXED

John M. ...
County Clerk
By _____ Deputy

ORDINANCE NO. NS-426

AN ORDINANCE VACATING THE ALLEY IN BLOCK FIFTY-TWO (52) CENTER ADDITION TO THE CITY OF BEND, DESCHUTES COUNTY, OREGON.

WHEREAS, the City Commission of the City of Bend was heretofore on the fifth day of April, 1954, duly and regularly petitioned to vacate the alley above described, and

WHEREAS, said petition was found to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend, Oregon, at eight o'clock P.M., on the seventh day of July, 1954, at which hearing no objections or remonstrances to such proposed vacation were presented, now therefore

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the Alley in Block 52, Center Addition to the City of Bend, Deschutes County, State of Oregon, be and the same is hereby vacated, provided that nothing herein contained shall cause or require the removal of or abandonment of any sewer, water main, gas main, conduit of any kind, wire, pole or thing used or intended to be used for any public service; and the right hereby is reserved for the owner of any such utility or thing to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things.

Read for the first time July 7, 1954.

Read for the second time July 21, 1954

Placed upon its passage July 21, 1954

YEAS: 4 NAYS: 0

Submitted to and approved by the Mayor this 21st day of July, 1954.

J. D. Supton
Mayor

ATTEST:

H. T. Thompson
Recorder of the City of Bend.

No. 9966
{ STATE OF OREGON
County of Deschutes
I hereby certify that the within instrument of writing was received for Record the 29th day of July A. D. 1954 at 11:29 o'clock A.M. and recorded in book 57 on page 588 Record
Helen M. Dacey County Clerk
By Opal Sprague Deputy

INDEXED

ORDINANCE NO. NS-427

VIII

AN ORDINANCE VACATING the WEST SIX FEET OF WEST TWELFTH STREET from THE NORTH LINE OF NEWPORT AVENUE, NORTH TO THE CITY LIMITS OF BEND OREGON.

WHEREAS the City Commission of the City of Bend was heretofore on the fifteenth day of June, 1954, duly and regularly petitioned to vacate the above described portion of a street, and

WHEREAS said petition was found to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS after due notice as required by law, a public hearing was held thereon at the Commission Chambers at the City Hall in the City of Bend, Oregon, at eight o'clock P.M., on the eighteenth day of August, 1954, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW THEREFORE

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the West Six Feet of West Twelfth Street from the north line of Newport Avenue, north to the City Limits of Bend, Oregon, be and the same is hereby vacated, provided that nothing herein contained shall cause or require the removal of or abandonment of any sewer, water main, gas main, conduit of any kind, wire, pole or thing used or intended to be used for any public service; and the right hereby is reserved for the owner of any such utility or thing to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things.

Read for the first time August 18, 1954.

Read for the second time September 1, 1954.

Placed upon its passage September 1, 1954.

YEAS:

NAYS:

Submitted to and approved by the Mayor this 5 day of 0, 1954.

Richard H. Brandis
Mayor

ATTEST:

W. T. Thompson
W. T. Thompson
Recorder of the City of Bend

An Ordinance granting the non-exclusive right, privilege, and franchise unto Consumer's 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, and containing clauses to protect the City and its citizens from liability, providing for the rehabilitation of public property when necessary, providing for supervision of facilities when deemed necessary by the City, providing for the payment of a percentage of the gross earnings to the City, providing for acceptance within 30 days, protecting the public from infringement of its rights, and providing for forfeiture at option of city for violation of terms of this franchise.

11-114

Repealed by
NS-1042

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 Consumer's 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, 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, or to perform other acts and things of a municipal nature which the City Commission shall deem expedient and necessary, and whenever in the prosecution or maintenance of such improvements or acts it becomes necessary or convenient to remove, readjust, relocate, or change any of the grantee's 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 or acts 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 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 curbs, and to take any and all measures reasonably necessary and prudent to protect the public or any members thereof from harm and danger, 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 Consumer's 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 practicable and without unnecessary delay. When any such excavations shall be maintained beyond a period of five days, such excavation shall only be permitted by approval of the City Manager. At any time after such period when the City of Bend acting by and through its City Manager shall deem the excavation is being maintained unnecessarily, the said City Manager shall give immediate notice to cease and desist and if his orders are not complied with forthwith, the City shall have the right to close and replace the offensive condition and shall charge the same back to grantee. Failure to pay for same in a reasonable period of time may result in a forfeiture of this franchise at the option of the City acting by and through its City Commission.

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 City Manager 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 other publicly or municipally owned property, or any part of said aforescribed ways and properties; 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, or 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 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 revenue derived from services to its patrons now or hereafter located within the City of Bend, Oregon, such percentages 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. Prior to the time this ordinance shall create any rights in grantee, said grantee, must provide certificate of insurance showing coverage as follows:

- (a) Compensation Insurance in compliance with all Workmen's Compensation Insurance and Safety Laws of the State of Oregon and amendments thereto;
- (b) Bodily Injury Liability Insurance with limits of \$30,000.00

each person, and \$60,000.00 each accident; and

- (c) Property Damage Liability Insurance with limits of \$100,000.00 each accident, and \$100,000.00 aggregate.

Section 11. Withⁱⁿ thirty (30) days after the passage of this ordinance, Consumer's 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.

Section 12. That any rights granted hereunder shall always be subject to the right of the public to free use of public property and that nothing herein shall be construed as granting any right that may interrupt or infringe upon the free use by the people. In the event there is a conflict, grantee hereby agrees to remove said offending installation at its own expense, and further in the event it fails to do so, authorizes the City to do so and charge the cost thereof to the grantee.

Section 13. That all installations made under the authority granted in this franchise shall be made in such a manner as to conform to any and all applicable regulations now in force or which may be enacted in the future for the public health, safety and welfare of the City of Bend and its inhabitants.

Section 14. That the City specifically reserves the right, acting through its lawfully constituted agents, to inspect any installation of whatsoever nature, installed under the rights granted herein and that upon a violation found the City may require the offending installations to be removed, replaced, or altered in such manner as to conform to the required specification.

Section 15. The City of Bend may for violation of any of the terms, conditions or covenants of this franchise resort to any lawful or legal remedies for the enforcement thereof, and these remedies shall also include the right of decreeing a forfeiture. However, an excuse by the City of a breach of any of the aforesaid terms, conditions or covenants shall not be deemed an excuse of a continuing breach or a further breach of the same or other terms, conditions or covenants as herein provided for.

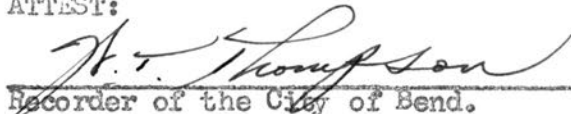
Read for the first time August 18, 1954.

Read for the second time September 1, 1954.
Placed upon its passage September 1, 1954.

Submitted to and approved by the Mayor this 1st day of September, 1954.


Mayor

ATTEST:


Recorder of the City of Bend.

ORDINANCE NO. NS-429

3-207-d

AN ORDINANCE DEFINING DISORDERLY CONDUCT AND PROVIDING FOR THE PUNISHMENT THEREOF.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. NS266 is hereby repealed and the following is substituted in lieu thereof.

Section 2. It shall be unlawful for any person to interfere with, molest, abuse, threaten, address with vile, obscene, profane, insulting or offensive language, 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 custody, whether the escape be effected or not, or to aid or assist any person to escape from lawful confinement within the city jail.

Section 3. It shall be unlawful for any person not a duly commissioned police 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 or badge similar in general appearance to the star or badge used by the police force of the city of Bend.

Section 4. It shall be unlawful for any person except a peace officer in discharge of his duty to carry any sling shot, billy, dirk, pistol, or any concealed deadly weapon, or to discharge any firearm, airgun, spear gun, flipper, or bean shooter within the corporate limits of the city unless in self defense or in protection of property.

Section 5. 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 thereon while intoxicated or under the influence of intoxicating liquor, or to appear or be in a building, place, or other premises not his or her own or without having some estate interest therein while in such condition without invitation or permission of the owner thereof, or to disturb the peace and quiet of any person, family, or neighborhood by drunkenness, by making loud or unusual noises, or 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 6. It shall be unlawful for any person or persons to keep a riotous or disorderly house, or to 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 the city whereby the peace, quiet, or decency of any person or neighborhood may be disturbed.

Section 7. 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 the sale or distribution of any other habit forming drug or concoction, or to sell or offer to sell any opium or any of its derivatives or any other habit forming drug or concoction to any person for the purpose of smoking

NS-429

or imbibing it within the corporate limits of Bend; except a duly licensed pharmaceutical dispensing establishment when acting under a medical doctor's orders and within the laws of the State of Oregon.

Section 8. It shall be unlawful for any person to bargain for, buy or sell, give or take, smoke or cause to be smoked any opium or any of its derivatives or any other habit forming drug or concoction within the corporate limits of Bend; provided, however, that the provision of this section does not apply when such opium or drug is obtained upon the prescription of a physician admitted to practice within the state of Oregon.

Section 9. 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 lawfully practicing physician.

Section 10. It shall be unlawful for any person to abuse, beat, 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 songbird 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 permit any horse, mule, or other beast of burden, or any hogs or cattle to go upon any sidewalk within the City, or for any person to lead, drive, ride, or hitch any horse, mule, or beast of burden on any sidewalk in the City.

Section 13. It shall be unlawful for any person 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 sidewalks.

Section 14. It shall be unlawful for any person to hitch or fasten any animal to, or to destroy, any growing or living shade or other ornamental tree, when such tree or shrub is growing on public property, except when such destruction is a matter of public convenience or necessity.

Section 15. It shall be unlawful for any person to throw or cause to be thrown or deposited upon any sidewalk, street, 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, or any snow, except when directed to so do by a duly authorized public employee of the City of Bend.

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, except in grounds lawfully constituted as a cemetery.

Section 17. It shall be unlawful for any person to play at ball or throw any stone 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, crosswalk, 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, crosswalk, street, or alley not to exceed 24 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, crosswalk, 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 a street, highway or alley of said City.

Section 20. It shall be unlawful for any person, firm, or corporation to operate any gasoline motorboat or steam propelled boat upon the Deschutes River within the limits of the City of Bend.

Section 21. 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, or to swim in the Deschutes River, within the corporate limits of the City of Bend.

Section 22. It shall be unlawful for a person to intrude himself upon any street or premises where a fire is in progress, in such a manner as to interfere with a member of the fire department in his efforts to extinguish the fire, and it shall be unlawful for persons to congregate in the vicinity of a fire in such a manner as to hinder or interfere with the fire department in its efforts to extinguish a fire. Before acts as described in this section shall be considered an offense under this ordinance, any offending person must have been requested to purge himself or herself of the apparent violation by a police officer, fireman or other lawfully constituted person, and upon failure to comply therewith, a violation hereof shall be deemed to exist.

Section 23. Police officers, firemen and lawfully constituted persons as provided for herein shall be deemed to include regular police officers and firemen, reserve police officers, volunteer firemen and other employees of the City of Bend and other persons duly appointed to act in their place and stead by the department heads of the various departments of the City of Bend.

Section 24. No person shall make, draw, utter, or deliver to any other person, firm, corporation, partnership or other business entity a check, draft or order on a bank or other depository which shall not be honored at said bank or other depository by reason of not sufficient funds, no account or for some other reason that indicates an intent to defraud.

Section 25. No person shall order food, beverage or other nourishment of any cafeteria, restaurant or other place dispensing same without having the ability to pay for same or after having ordered as in this section provided fail to pay for same.

Section 26. No person shall order or accept lodging of any hotel, inn, lodging house or other place providing lodging without having the ability to pay for same or after having ordered and accepted same fail to pay for same.

Section 27. A violation of any of the provisions of this ordinance shall be deemed a disorderly act and any person found guilty of a violation hereof shall be punished by a fine not exceeding \$200.00 or by imprisonment in the City Jail for a period of time not exceeding 100 days or by both such fine and imprisonment.

Read for the first time August 18, 1954.


Read for the second time September 1, 1954.

Placed upon its passage September 1, 1954.

Submitted to and approved by the Mayor this 1st day of
September, 1954.


Mayor

ATTEST:


Recorder of the City of Bend.

ORDINANCE NO. NS-430

An Ordinance vacating all that portion of the following described street, alley and plat location described as follows:

V. W. inactive

All of Blocks One (1), Two (2) and Three (3), together with the alleys in Block One (1), and Quincy Avenue from the east line of Block One (1) to the west line of Block Two (2) according to the plat of Kenwood Gardens as filed in the office of the County Recorder of Crook County, Oregon, (said portion of Crook County now Deschutes County)

WHEREAS the City Commission of the City of Bend heretofore on the 1st day of September, 1954, duly and regularly on its own motion under the authority of Sec. 271.130 O.R.S. initiated vacation proceedings for said above described street, alley and plat location, and

WHEREAS the City Commissioners having considered said matter and having determined that the proposed vacation will not materially affect the market value of any abutting property, and

WHEREAS the vacation proceedings appear to be in order and to meet the requirements of law regulating the vacation of streets, alleys and plats, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission chambers at the City Hall in the City of Bend on the sixth day of October, 1954, at 8:00 p.m., at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described street, alley and plat, located in the City of Bend, Deschutes County, State of Oregon, more particularly described as:

All of Blocks One (1), Two (2), and Three (3), together with the alleys in Block One (1), and Quincy Avenue from the east line of Block One (1) to the west line of Block Two (2) according to the plat of Kenwood Gardens as filed in the office of the County Recorder of Crook County, Oregon, (said portion of Crook County now Deschutes County)

be and the same is hereby vacated.

Read for the first time October 6, 1954.

Read for the second time October 20, 1954.

Placed upon its passage October 20, 1954.

YEAS: 5 NAYS: 0

Submitted to and approved by the Mayor this 20th day of October, 1954.

Richard H. Brandix
Mayor

ATTEST:

H. S. Thompson
Recorder of the City of Bend

ORDINANCE NO. N. S. 431

An ordinance vacating all that portion of the following described street located in the First Addition to Bend Park, City of Bend, Deschutes County, State of Oregon, more particularly described as:

VIII
inactive

Beginning at a point on the west line of E. 9th Street, said point being 10.00 feet due south of the Northeast Corner of Lot Fifteen (15) Block One Hundred Twenty-two (122), 1st Addition to Bend Park, City of Bend: thence due South a distance of 100.00 feet, thence due West a distance of 100.00 feet, thence northeasterly along a curve whose central angle is 90° and whose radius is 100.00 feet, a distance of 157.08 feet to the point of beginning"

WHEREAS the City Commission of the City of Bend heretofore on the 1st day of September, 1954, duly and regularly initiated the vacation proceedings to vacate the street above described in response to a petition for said vacation presented by Mr. Hap Taylor, one of the petitioners, and

WHEREAS, the City Commissioners having considered said vacation proceedings and found them to be in order and to meet the requirements of the law regulating the vacation of streets, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission Chambers at the City Hall in the City of Bend, at 7:30 o'clock P.M., on the 6th day of October, 1954, at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following portion of the following described street located in that portion of First Addition to Bend Park, City of Bend, Deschutes County, State of Oregon, more particularly described as:

Beginning at a point on the west line of E. 9th Street, said point being 10.00 feet due south of the Northeast Corner of Lot Fifteen (15) Block One Hundred Twenty-Two (122), 1st Addition to Bend Park, City of Bend: thence due South a distance of 100.00 feet, thence due West a distance of 100.00 feet, thence northeasterly along a curve whose central angle is 90° and whose radius is 100.00 feet, a distance of 157.08 feet to the point of beginning,

be and the same is hereby vacated.

Read for the first time, October 6, 1954.
Read for the second time, October 20, 1954.
Placed upon its passage, October 20, 1954.

Yeas: 6 Nays: 0

Submitted to and approved by the Mayor this 20th day of October, 1954.

Richard H. Brundage

ATTEST:

W. T. Thompson
Recorder of City of Bend
STATE OF OREGON, Deschutes County)
City of Bend) ss

I, Walter T. Thompson, the duly appointed, qualified & acting City Recorder of City of Bend, Oregon, do hereby certify that I have caused to be prepared the above copy of Ordinance No. N. S. 431 passed by the City Commission of said City of Bend; that I have compared said copy with the original thereof as filed in my office and that said copy is a true, full and exact transcript of said original ordinance as passed by the City Commission on the 20th day of October, 1954 & filed in my office.

DATED this 25th day of October, 1954.

W. T. Thompson
Recorder of City of Bend

AN ORDINANCE AUTHORIZING ERECTION & MAINTENANCE OF PARKING METERS IN MUNICIPALLY OWNED PARKING LOTS, PROVIDING FOR THE OPERATION THEREOF AS TO NUMBER, TIME LIMIT, FEES, HANDLING OF VIOLATIONS, IMPOUNDING VEHICLES AND SALE THEREOF, SETTING FORTH PENALTIES AND DECLARING AN EMERGENCY.

3-313

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. The City of Bend is hereby authorized to erect and maintain parking meters in all municipally owned, leased or operated parking lots and areas. Said meters shall be erected and maintained under the direction of the City Commission which shall direct upon motion duly seconded and carried in the usual course of its business the erection thereof, the number of spaces to be metered, the length of time adjustment and the fee for the use of the space provided.

Section 2. The Police Department of the City of Bend is hereby charged with the duty of enforcing the terms of this ordinance and violations hereof shall be treated as misdemeanors and shall be triable as such in the municipal court of the City of Bend.

Section 3. Violators of the terms of this ordinance shall receive parking citations returnable to the municipal court and the following bail schedule shall apply:

- \$0.50 if citation presented and bail paid on the date of issuance of the citation.
- \$1.00 if citation presented and bail paid on the first day following issuance of citation.
- \$1.50 if citation presented and bail paid on the second day following date of issuance of the citation.
- \$2.00 if citation presented and bail paid on the third day following date of issuance of the citation.

Section 4. Abandoned vehicles, and vehicles parked in violation of the terms of this ordinance may be forcefully removed from the parking lots by or under the direction of the Police Chief and shall be impounded by the said Police Chief or his agents and any vehicles so impounded may be sold by the said Police Chief or his agents in accordance with the statutes of the State of Oregon pertaining to the foreclosure of liens by garagemen and materialmen as applied to vehicles upon which they have provided labor, materials or storage. For the purposes of this ordinance the parking lots herein set forth shall be deemed to be providing storage and parking facilities for motor vehicles in accordance with time limits and fees set forth by the City Commission.

Section 5. Vehicles impounded as in Section 4 herein provided may be released to their owners or their owners' agents upon payment of a fine directed by the municipal court and the further payment of towing and storage charges.

Section 6. In addition to and in conjunction with the impounding provisions set forth above, a violation of the terms of this ordinance shall be a misdemeanor and violators shall be punished as such misdemeanants upon conviction in the municipal court by a fine not to exceed \$50 or by imprisonment in the city jail for a period of ten (10) days or by both such fine and imprisonment.

Emergency Clause: Inasmuch as the passage of this ordinance is deemed necessary for the immediate preservation of the peace, health and safety of the city in that new parking meters are presently to be installed in the parking lot at the corner of Wall Street and Newport Avenue to alleviate a serious parking problem in said lot and the vicinity thereof and it is necessary that the meters provided for herein and the enforcement provisions hereof be made immediately operative, an emergency is hereby declared to exist and this ordinance shall become immediately operative upon the passage hereof.

Read for the first time October 6, 1954

Read for the second time October 20, 1954

Placed upon its passage October 20, 1954

Submitted to and approved by the Mayor this 20 day of October, 1954.

ATTEST:

H. T. Thompson
Recorder of the City of Bend.

Richard H. Brander
Mayor

NS-432

ORDINANCE NO. NS - 433

1-108

AN ORDINANCE PROVIDING FOR THE GENERAL PROCEDURE AT COMMISSION MEETINGS SETTING FORTH THE TIME AND PLACE, PROVIDING FOR SUBMISSION OF NEW MATTERS IN WRITING TO CITY CLERK PRIOR TO MEETINGS, PROVIDING FOR A PRESIDING OFFICER AND A CHAIRMAN PRO-TEM AND THEIR DUTIES, SETTING FORTH IN ORDER OF BUSINESS, RULES OF DEBATE, MANNER OF ADDRESSING THE COMMISSION, PROVIDING FOR DECORUM AND MEANS TO PRESERVE SAME, AUTHORIZING CERTAIN PERSONS TO BE WITHIN COMMISSION AREA, PROVIDING FOR A RECORDING MACHINE AND APPROVING OF ACCOUNTS AGAINST THE CITY, COVERING METHOD OF PREPARATION OF ORDINANCES ETC. AND, FINALLY, PROVIDING FOR ADJOURNMENT.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Regular Meetings.

a. Time. The City Commission shall hold regular meetings on the first and third Wednesdays of each month at 7:30 p.m., provided, however that when the day fixed for any regular meeting of the Commission falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday.

b. Place. All regular meetings of the Commission shall be held in the Commission Room of the City Hall of the City of Bend.

c. The Commission may adjourn upon motion made at any regular meeting as provided in section a. to the next succeeding regular meeting or to some specified time prior thereto which adjourned meeting will be deemed to be a continuation meeting.

d. Special meetings of the Commission may be called by the Chairman or by any other four members of the Commission at any time upon no less than six hours notice by personal service before such meeting.

Section 2. Agenda.

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Commission shall, at least 12 business hours prior to each Commission meeting, be delivered to the City Clerk, whereupon the City Clerk shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Commission, the City Manager, and the City Attorney with a copy of the same prior to the Commission meeting and as far in advance of the meeting as time for preparation will permit. None of the foregoing matters shall be presented to the Commission by administrative officials except those of an urgent nature, and the same, when so presented, shall have the written approval of the City Manager before presentation. However, nothing in this paragraph shall be construed to preclude citizens and taxpayers or other interested individuals to present their propositions in person without prior notice to the City.

Section 3. The Presiding Officer - Election and Duties.

The presiding officer of the Commission shall be the Mayor who shall be elected annually at the First meeting in January of each year, by the members, from their membership. The Mayor shall assume the chair of the Presiding Officer immediately after his election. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Commission.

He shall state every question coming before the Commission, announce the decision of the Commission on all subjects and decide all questions of order, subject, however, to an appeal to the Commission, in which event a majority vote of the Commission shall govern and conclusively determine such question of order. In the event of questions of order which are not answered in this ordinance the Commission hereby adopts the rules of order (revised) known as Robert's Rules of Order, Revised, 75th Anniversary Edition. The Mayor shall vote on all questions, his name being called last. He shall sign all ordinances and resolutions adopted by the Commission during his presence. In the event of the absence of the Mayor, the Presiding Officer shall sign ordinances or resolutions as then adopted.

Section 4. Chairman Pro-tem.

At the time of the election of the Mayor, the City Commissioners shall elect one of their members to the position of Chairman pro-tem. This position shall be considered at any subsequent meeting as an expedient position to provide for a presiding officer in the absence of the Mayor. Said Chairman pro-tem shall act in the place and stead of the Mayor during the absence of the Mayor.

Section 5. Call to Order - Presiding Officer.

The Mayor, or in his absence, the Chairman pro-tem, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Commission to order. In the absence of the Mayor or Chairman pro-tem, the City Recorder, or his assistant, shall call the Commission to order, whereupon a temporary chairman shall be elected by the members of the Commission present. Upon the arrival of the Mayor or Chairman pro-tem, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Commission.

Section 6. Roll Call.

Before proceeding with the business of the Commission, the City Recorder or his deputy shall call the roll of the members, and the names of those present shall be entered in the minutes.

Section 7. Quorum.

A majority of the Commission shall constitute a quorum to do business, but a less number can appear and adjourn from time to time.

Section 8. Order of Business.

All meetings of the Commission shall be open to the public. Promptly at the hour set by law on the day of each regular meeting, the members of the Commission, the City Recorder, City Attorney and City Manager shall take their regular stations in the Commission Room, and the business of the Commission shall be taken up for consideration and disposition in the following order:

1. Roll Call
2. Consideration of Minutes of Previous Meeting
3. Visitors' Propositions
4. Communications
5. Petitions
6. Unfinished Business
7. New Business

8. Resolutions
9. Reading of Ordinances - First Time
10. Reading of Ordinances - Second Time
11. Bills Against the City
12. Officers' Reports
13. Manager's Report
14. Good of the City

Section 9. Reading of Minutes.

Unless a reading of the minutes of a Commission meeting is requested by a member of the Commission, such minutes may be approved without reading if the Recorder has previously furnished each member with a copy thereof.

Section 10. Rules of Debate.

(a) Presiding Officer May Debate and Vote, etc. The Mayor or such other member of the Commission as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Commissioner by reason of his acting as the Presiding Officer.

(b) Getting the Floor - Improper References to be Avoided. Every member desiring to speak shall address the Chair, and upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.

(c) Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in order, he shall be permitted to proceed.

(d) Privilege of Closing Debate. The Commissioner moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

(e) Motion to Reconsider. A motion to reconsider any action taken by the Commission may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.

(f) Remarks of Commissioners - When Entered in Minutes. A Commissioner may request, through the Presiding Officer, the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Commission consents thereto, such statement shall be entered in the minutes.

(g) Synopsis of Debate - When Entered in Minutes. The Clerk may be directed by the Presiding Officer, with consent of the Commission to enter in the minutes a synopsis of the discussion on any question coming regularly before the Commission.

Section 11. Addressing the Commission

Any person desiring to address the Commission shall first secure the permission of the Presiding Officer so to do; provided, however, that under the following headings of business, unless the Presiding Officer rules otherwise, any qualified person may address the Commission without securing such prior permission:

(a) Written Communications. Interested parties or their authorized representatives may address the Commission by written communications in regard to matters then under discussion.

(b) Oral Communications. Taxpayers or residents of the City, or their authorized representatives, may address the Commission by oral communications on any matter concerning the City's business, or any matter over which the Commission has control; provided, however, that preference shall be given to those persons who may have notified the City Recorder in advance of their desire to speak in order that the same may appear on the agenda of the Commission.

(c) Reading of Protests, etc. Interested persons or their authorized representatives may address the Commission by reading of protests, petitions, or communications relating to zoning, sewer and street proceedings, hearings on protests, appeals and petitions, or similar matters, in regard to matters then under consideration.

Section 12. Addressing the Council after Motion Made.

After a motion is made by the Commission, no person shall address the Commission without first securing the permission of the Commission so to do.

Section 13. Manner of Addressing Commission.

Each person addressing the Commission shall step up in front of the Commission (or before the microphone if in use), shall give his name and address in an audible tone of voice for the record. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer. No question shall be asked a Commissioner except through the Presiding Officer, who shall give permission in an orderly fashion.

Section 14. Decorum.

(a) By Commission Members. While the Commission is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Commission nor disturb any member while speaking or refuse to obey the orders of the Commission or its Presiding Officer, except as otherwise herein provided.

(b) By Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Commission shall be forthwith, by the Presiding Officer, barred from further audience

before the Commission, at that particular meeting, unless permission to continue be granted by a majority vote of the Commission.

Section 15. Enforcement of Decorum.

The Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Commission meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Commission Meetings. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant-at-Arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of the ordinances of the City of Bend and a violation of this section shall be deemed a disorderly conduct in a public place, and shall be prosecuted as such on a complaint to be signed by the presiding officer.

Section 16. Silence Constitutes Affirmative Vote.

Unless a member of the Commission states that he is not voting, his silence shall be recorded as an affirmative vote.

Section 17. Persons Authorized to be within the Commission Area.

No person, except City officials, their representatives and newspaper reporters, shall be permitted within the Commission area of the Commission Room, without express consent of the Commission.

Section 18. Special Committee.

All special committees shall be appointed by the presiding officer, unless otherwise directed by the Commission.

Section 19. Members may file Protests Against Commission Action.

Any member shall have the right to have the reasons for his dissent from, or protest against, any action of the Commission entered in the minutes.

Section 20. Recording Machine.

A voice recording machine of an approved type shall be available where practicable at all Commission meetings. Recordings shall be made of all or parts of any such meeting by direction of the Presiding Officer. Also any member of the Commission may request a recording be made of all or any part of any particular meeting. When such recordings are made, the record thereof shall be retained and stored by the City Manager until such time as the Commission on motion and vote shall direct the disposal thereof. Such retention and storage by the City Manager shall be made in a safe place and such recording shall not be permitted to be taken outside the confines of the City Hall.

Section 21. Claims against the City.

No account or other demand against the City shall be allowed until the same has been considered and reported upon by the Commission and approved by at least four members of the Commission.

Section 22. Ordinances, Resolutions, Motions and Contracts.

(a) Preparation of Ordinances. All ordinances shall be prepared by the City Attorney. No ordinance shall be prepared for presentation to the Commission unless ordered by a majority vote of the Commission, or requested in writing by the City Manager or prepared by the City Attorney, with the approval of the City Manager, on his own initiative.

(b) Prior Approval by Administration. All ordinances, resolutions and contract documents shall, before presentation to the Commission, have been approved as to form and legality by the City Attorney or his authorized representative, and shall have been examined and approved for administration by the City Manager or his authorized representative, where there are substantive matters of administration involved.

Section 23. Reports and Resolutions to be Filed with Recorder.

All reports and resolutions shall be filed with the Recorder and entered on the minutes.

Section 24. Adjournment.

A motion to adjourn shall always be in order and decided without debate.

Read for the first time September 15, 1954

Read for the second time October 20, 1954

Placed upon its passage October 20, 1954

Submitted to and approved by the Mayor this 20th day of October, 1954

Richard V. Brandt
Mayor

ATTEST

H. T. Thompson
Recorder of the City of Bend.

ORDINANCE NO. NS 434

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING OF CIGARETTE VENDING MACHINES, JUKE BOXES AND MECHANICAL AMUSEMENT DEVICES; DEFINING SAME; PROHIBITING THE OPERATION OF GAMBLING MACHINES AND GAMES OF CHANCE; PROVIDING FOR THE REVOCATION OF SUCH LICENSE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND SETTING FORTH THE EFFECTIVE DATE OF THIS ORDINANCE.

8-207

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF BEND, OREGON.

Section 1. Definition of Terms. As used in this ordinance, unless the context otherwise indicates,

- (a) The term "cigarette vending machine" shall mean any automatic vending machine used for sale of cigarettes and matches, and controlled by the insertion of a coin or coins. It shall not include machines or devices used solely for the vending of service, food or confections;
- (b) The term "juke box" shall mean any music vending machine, contrivance or device which, upon the insertion of a coin, slug, token, plate, disc, or key into any slot, crevice, or other opening, or by the payment of any price, operates or may be operated, for the emission of songs, music, or similar amusement;
- (c) The term "mechanical amusement device" shall mean any machine, which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, pinball machines, skill ball, mechanical grab machines and all games, operations, or transactions similar thereto under whatever name they may be indicated.
- (d) The terms "person" "firm" "corporation" or "association" as used herein shall include the following: any person, firm, corporation or association which owns any such machine; the person, firm, corporation or association in whose place of business any such machine is placed for use by the public; and the person, firm, corporation or association having control over such machine; provided, however, that the payment of such fee by any person, firm, corporation or association enumerated herein shall be deemed a compliance with this section of the ordinance.

Section 2. Gambling Devices Not Permitted. Nothing in this ordinance shall in any way be construed to authorize, license or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, or in any way contrary to law, or that may be contrary to any future laws of the State of Oregon.

Section 3. License Required. Any person, firm, corporation or association displaying for public patronage or keeping for operation any cigarette vending machine, juke box, or mechanical amusement device as herein defined by Section 1, shall be required to obtain a license from the City of Bend, upon payment of a license fee. Application for such license shall be made to the Recorder upon a form to be supplied by the City Recorder for that purpose.

Section 4. Application. The application for such license shall contain the following information.

- (a) Name and address of the applicant, age, date, and place of birth.
- (b) Prior convictions of any penal statute or ordinance, if any.
- (c) Place where machine or device is to be displayed or operated and the business conducted at that place.
- (d) Description of machine to be covered by the license, mechanical features, name of manufacturer, serial number.

NS 434

No license shall be issued to any applicant unless he shall be over twenty-one (21) years of age and a citizen of the United States.

Section 5. Inspection. Application for license shall be made out in duplicate, one copy being referred to the Chief of Police and the other copy to the City Electrical inspector.

- (a) The Chief of Police shall investigate the location wherein it is proposed to operate such machine, ascertain if the applicant is a person of good moral character, and either approve or disapprove the application.
- (b) The Electrical Inspector shall inspect all wiring and connections to the machine, determine if the same complies with the Electrical Code of the State of Oregon, and shall either approve or disapprove the application.
- (c) All disapproved applications shall be submitted to the Commission by the Recorder for final disposition; the City Recorder to issue license if there is no disapproval in accordance with this section.

Section 6. License Fees. Every applicant, before being granted a license shall pay the following annual license fee for the privilege of operating or maintaining for operation each cigarette vending machine, juke box or mechanical amusement device as defined in Section 1 herein:

Cigarette Vending Machines	\$24.00 per year per machine
Juke Boxes	24.00 " " " "
Mechanical Amusement Devices	24.00 " " " "

License as provided herein shall be granted for a calendar year (January 1 to December 31, inclusive) without pro-ration.

Section 7. Display of License.

- (a) The license or licenses herein provided for shall be posted permanently and conspicuously at the location of the machine in the premises wherein the device is to be operated or maintained to be operated,
- (b) Such license may not be transferred from one machine or device to another machine. Not more than one machine shall be operated under one license and the applicant or licensee shall be required to secure a license for each and every machine displayed or operated by him.
- (c) If the licensee shall move his place of business to another location within the City of Bend, the license may be transferred to such new location upon application to the City Recorder, giving the street and number of the new location. The new location shall be approved by the Chief of Police and the City Electrical Inspector in the same manner as provided in Section 5 of this ordinance.

Section 8. Prohibitions and Restrictions.

- (a) No person, firm, corporation or association holding a license under this ordinance shall permit persons under twenty-one (21) years of age to play or operate any cigarette vending machine or mechanical amusement device as defined in Section 1 of this ordinance.
- (b) No person, firm, corporation or association holding a license under this ordinance shall permit the playing of juke boxes, as defined in Section 1 between the hours of 2:30 o'clock A.M. and 6 o'clock A.M. of any day, and

further between the hours of 12:01 a.m. and 2:00 a.m. juke boxes as herein defined shall be played in such manner as to not be offensive to others. If such offensiveness is deemed by the commission to be a nuisance the Commission may direct revocation of the license or may direct the City Recorder to refuse to issue a renewal of the license for the next year.

- (c) No person, firm, corporation or association shall permit the playing of juke boxes or mechanical amusement devices within six hundred feet of any church, public or parochial or other school or playground.

Section 9. Revocation of License. Each license issued under this ordinance is subject to the right, which is hereby expressly reserved, to revoke the same should the licensee, directly or indirectly, permit the operation of any cigarette vending machine, juke box, or mechanical amusement device contrary to the provisions of this ordinance, the ordinances of the City of Bend, or the law of the State of Oregon. Said license may be revoked by the City Commission after written notice to the licensee, which notice shall specify the ordinance or law violations with which the licensee is charged, if after a hearing the licensee is found to be guilty of such violations. Ten days' notice of the hearing shall be given the licensee.

Section 10. Seizure and Destruction of Machine. If the Chief of Police shall have reason to believe any mechanical amusement device is used as a gambling device, such machine may be seized by the police and impounded and if upon trial of the exhibitor for allowing it to be used as a gambling device said exhibitor be found guilty, such machine shall be destroyed by the police.

Section 11. Penalty. Any person, firm, corporation, violating any of the provisions of this ordinance, in addition to the revocation of his or its license, shall be liable to a fine or penalty of not more than \$200.00 or 100 days in the City jail, or by both such fine and imprisonment.

Section 12. The terms of this ordinance shall become effective at 12:01 a.m. on the first day of January, 1955.

Section 13. This ordinance is deemed to be an all-inclusive ordinance in the regulation and licensing of the subject matter hereof and as such the following ordinances and sections thereof are repealed, as well as all other ordinances whose terms come in conflict herewith, to-wit: Ordinance No. NS-311, NS-316 and NS-416.

Section 14. Separability of Provisions. It is the intention of the City Commission that each separate provision of this ordinance shall be deemed independent of all other provisions herein; and it is further the intention of the City Commission that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Read for the first time Sept. 15, 1954

Read for the second time October 20, 1954

Placed upon its passage October 20, 1954

Submitted to and approved by the mayor this 20 day of October, 1954


Mayor

ATTEST:

Recorder

NS-434

ORDINANCE REGULATING AND PROHIBITING CERTAIN USES OF SOUND TRUCKS

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BEND, OREGON:

Section 1. Definitions:

- (a) "Person". The word "person" as used herein shall include the singular and the plural and shall also mean and include any person, firm, corporation, association, club, partnership, society or any other form of association or organization.
- (b) "Sound truck". The words "sound truck" as used herein shall mean any motor vehicle, or horse-drawn vehicle, having mounted thereon, or attached thereto, any sound amplifying equipment.
- (c) "Sound amplifying equipment". The words "sound amplifying equipment" as used herein shall mean any machine or device for the amplification of the human voice, music or any other sound. "Sound amplifying equipment" as used herein shall not be construed as including standard automobile radios when used and heard only by occupants of the vehicle in which installed or warning devices on authorized emergency vehicles or horns or other warning devices on other vehicles used only for traffic safety purposes.

Section 2. Use of Sound Trucks.

- (a) Registration required. No person shall use, or cause to be used, a sound truck with its sound amplifying equipment in operation in the City of Bend before filing a registration statement with the City Recorder in writing. This registration statement shall be filed in duplicate and shall state the following:
 - (1) Name and home address of the applicant.
 - (2) Address of place of business of applicant.
 - (3) License number and motor number of the sound truck to be used by applicant.
 - (4) Name and address of person who owns the sound truck.
 - (5) Name and address of person having direct charge of sound truck.
 - (6) Names and addresses of all persons who will use or operate the sound truck.
 - (7) The purpose for which the sound truck will be used.
 - (8) A general statement as to the section or sections of the city in which the sound truck will be used.
 - (9) The proposed hours of operation of the sound truck.
 - (10) The number of days of proposed operation of the sound truck.
 - (11) A general description of the sound amplifying equipment which is to be used.
 - (12) The maximum sound producing power of the sound amplifying equipment to be used in or on the sound truck. State the following:
 - The wattage to be used.
 - The volume in decibels of the sound which will be produced.
 - The approximate maximum distance for which sound will be thrown by the sound truck.
- (b) Registration statement amendment. All persons using or causing to

be used, sound trucks for non-commercial purposes shall amend any registration statement filed pursuant to Section 2 (a) within forty-eight (48) hours after any change in the information therein furnished.

- (c) Registration and identification. The City Recorder shall return to each applicant under Section 2 (a) of this ordinance, one copy of said registration statement duly certified by the City Recorder as a correct copy of said application. Said certified copy of the application shall be in the possession of any person operating the sound truck at all times while the sound truck's sound amplifying equipment is in operation and said copy shall be promptly displayed and shown to any policeman of the City of Bend upon request.
- (d) Yearly License Fee. The yearly license fee based upon a calendar year or any part thereof shall be \$20.00 in advance and said license fee shall be paid to the City at the time the registration as provided in sub-section (c) hereinabove is made, except that for exclusively non-commercial and civic uses no license fee shall be paid or received. For all other uses, except exclusively non-commercial or civic, it shall be a violation of this ordinance to operate equipment as herein defined without first having received a license therefor.
- (e) Regulations for use. Use of sound trucks in the City of Bend with sound amplifying equipment in operation shall be subject to the following regulations:
- (1) The only sounds permitted are music or human speech.
 - (2) Operations are permitted for four (4) hours each day. The permitted four (4) hours of operation shall be between the hours of 11:30 a.m. and 1:30 p.m., and between the hours of 4:30 p.m. and 6:30 p.m.
 - (3) Sound amplifying equipment shall not be operated unless the sound truck upon which such equipment is mounted is operated at a speed of at least ten (10) miles per hour except when said truck is stopped or impeded by traffic. Where stopped by traffic the said sound amplifying equipment shall not be operated for longer than one minute at each such stop.
 - (4) Sound shall not be issued within one hundred (100) yards of hospitals, and when schools, churches or courthouses are in session not within one hundred (100) yards thereof.
 - (5) The human speech and music amplified shall not be profane, lewd, indecent, or slanderous.
 - (6) The volume of sound shall be controlled so that said volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons within the area of audibility.

Section 3. Penalty. Any person, firm, corporation, violating any of the provisions of this ordinance, shall be liable to a fine or penalty of not more than \$200.00 or 100 days in the city jail, or by both such fine and imprisonment.

Section 4. Separability. It is the intention of the City Commission that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Commission that if any provision of this ordinance be declared to be invalid, all other provisions thereof shall remain valid and enforceable.

Section 5. This ordinance and all the sections hereof shall become effective and operative on the first (1st) day of January, 1955.

Read for the first time 10-20-54

Read for the second time 11-3-54

Placed upon its passage 11-3-54

YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 3rd day of November 1954.

Richard H. Brandix
Mayor

ATTEST:

J. H. Thompson
Recorder of the City of Bend

9-104-e

ORDINANCE NO. NS 436

AN ORDINANCE AMENDING ORDINANCE NO. NS-342 BY CHANGING PART OF THE PRESENT C-II TOURIST COMMERCIAL DISTRICT INTO A NEW DISTRICT KNOWN AS C-III (a) COMMERCIAL DISTRICT.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. That that portion of Ordinance No. NS-342, to-wit: Part I of Section 1, adopting a "Zoning Map of the City of Bend, Oregon" and the zoning map itself, together with Part III, Section 15, of the said ordinance No. NS-342 establishing the boundaries of districts by reference to the official zoning map of the City of Bend, Oregon, shall be amended so as to change the part of C-II, Tourist-Commercial District, as herein defined, to-wit:

Beginning on East Clay Avenue at the Alley between East Third Street and East Fourth Streets, extending thence westerly to East Third Street; thence Northwesterly along the southwesterly boundary of Block 1, Keystone Terrace Addition to East Emerson Avenue, thence westerly along Emerson Avenue to the Pilot Butte Canal; thence northerly along the Pilot Butte Canal to a point midway between East Franklin Avenue and East Greeley Avenue; thence East to East Third Street; thence south along East Third Street to Franklin Avenue; thence east along Franklin Avenue a distance of 180.0 feet; thence due south to the point of beginning.

from C-II Tourist Commercial District to a new type district known as C-III (a) Commercial District.

SECTION 2. That the allowable property uses in the afordescribed area formerly regulated under the regulations of C-II Tourist Commercial District, shall no longer apply after the effective date of this ordinance.

SECTION 3. That in the place and stead of the former regulations and zone definition applying to the area described in Section 1 hereof there shall be and hereby is set forth the following regulations and zone definition to be effective upon the effective date of this ordinance.

- a. The district in Section 1 hereof set forth shall hereinafter be defined and known as C-III (a), Commercial District.
- b. That the allowable property uses in the C-III(a), Commercial District, shall be the same as those set forth in the parts and sections of Ordinance No. NS-342 as they pertain to the district set forth therein and known as district C-III, Central Commercial District, and said uses are hereby adopted and made a part hereof by reference.
- c. There shall be observed and required, however, in the new C-III(a) Commercial District, a set-back from the lot line for all new structures or buildings, or existing buildings which shall be altered, enlarged or increased so as to decrease the existing front yard, a set-back of at least twenty (20) feet from the front lot line thereof, and on main travelled highways there shall always be at least a 20-foot yard or set-back requirement whether or not said yard is front, side or back. That is to say, there shall be a front yard of at least twenty (20) feet, and on main travelled highways there shall always be at least a 20-foot yard or set-back requirement.

Read for the first time November 24, 1954.
Read for the second time December 15, 1954.
Placed upon its passage December 15, 1954.
Yeas 7 Nays 0.

Submitted to and approved by the Mayor this 15th day of December, 1954.

ATTEST:

H. T. Thompson
Recorder of the City of Bend

Richard H. Brandon
Mayor

ORDINANCE NO. NS-437

AN ORDINANCE AMENDING SECTION V OF ORDINANCE NO. NS-372 BY ADDING TO THE SAID SECTION A NEW PARAGRAPH DESCRIBING ADDITIONAL PROPERTY FOR INCLUSION IN THE FIRE LIMITS OF THE CITY OF BEND

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

SECTION 1. Section V of Ordinance No. NS-372 is hereby and herewith amended by adding to the said Section V all property lying within the boundaries as herein set forth, to-wit:

Beginning on East Clay Avenue at the Alley between East Third and East Fourth Streets, extending thence westerly to East Third Street; thence northwesterly along the southwesterly boundary of Block 1, Keystone Terrace Addition to East Emerson Avenue, thence westerly along Emerson Avenue to the Pilot Butte Canal; thence northerly along the Pilot Butte Canal to a point midway between East Franklin Avenue and East Greeley Avenue; thence East to East Third Street; thence south along East Third Street to Franklin Avenue; thence east along Franklin Avenue a distance of 180.0 feet; thence due south to the point of beginning;

SECTION 2. This ordinance shall in no way be construed to change the fire limits existing prior to the passage hereof, and its intention is merely to add new areas to come within the provisions of the aforesaid Ordinance No. NS-372, which said other provisions are not affected by this Ordinance.

Read for the first time December 1, 1954
Read for the second time December 15, 1954.
Placed upon its passage December 15, 1954.

Submitted to and approved by the Mayor this 15th day of December, 1954.

Robert A. Brandix
Mayor

ATTEST:
H. T. Thompson
Recorder of the City of Bend

3-3076

ORDINANCE NO. NS-438

AN ORDINANCE AMENDING A PORTION OF ORDINANCE NO. NS-344 BY REPEALING SECTION 11(b) THEREOF AND SUBSTITUTING A NEW SECTION 11 (b)

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 11(b) of Ordinance No. NS-344 shall be and the same hereby is repealed.

Section 2. That in lieu of the aforesaid Section 11(b) of Ordinance No. NS-344 there shall be inserted the following Section 11(b).

Section 11 (b).

He shall attach to each vehicle a notice stating that it has been parked in violation of this ordinance and instructing the owner or operator to report to the police department in regard to such violation. The owner or operator may, within the first twenty-four (24) hour period from and after the notice was attached to such vehicle, pay the amount of fifty cents (\$.50); during but not beyond the second twenty-four (24) hour period from and after the notice was attached to such vehicle, pay the amount of one dollar (\$1.00); during but not beyond the third twenty-four (24) hour period from and after the notice was attached to such vehicle, pay the amount of one dollar and fifty cents (\$1.50); during but not beyond the fourth twenty-four (24) hour period from and after the notice was attached to such vehicle, pay the amount of two dollars (\$2.00). At any time from and after the fourth twenty-four (24) hour period a warrant of arrest may be served. The above specified amounts shall be considered as bails applying on such violation.

Read for the first time January 19, 1955

Read for the second time February 2, 1955

Placed upon its passage February 2, 1955

Yeas: 7 Nays: 0

Submitted to and approved by the Mayor this 2nd day of February 1955.

Hans Slegsvold
Mayor

ATTEST:

Jessie S. Johnson
Recorder of the City of Bend

ORDINANCE NO. NS-439

An ordinance vacating all that portion of the following described alley location described as follows:

The alley in Block Thirteen (13) of Boulevard Addition to the City of Bend, according to the official plat thereof on file in the office of the County Clerk, Deschutes County, State of Oregon

WHEREAS the City Commission of the City of Bend heretofore on the 5th day of January, 1955, duly and regularly on its own motion under the authority of Sec. 271.130 O.R.S. initiated vacation proceedings for said above described alley location, and

WHEREAS the City Commissioners having considered said matter and having determined that the proposed vacation will not materially affect the market value of any abutting property, and

WHEREAS the vacation proceedings appear to be in order and to meet the requirements of law regulating the vacation of alleys, and

WHEREAS, after due notice as required by law, a public hearing was held at the Commission chambers at the City Hall in the City of Bend on the 2nd day of February, 1955, at 8:00 o'clock p.m., at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE;

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following described Alley, located in the city of Bend, Deschutes County, State of Oregon, more particularly described as:

The Alley in Block Thirteen (13) of Boulevard Addition to the City of Bend, according to the official plat thereof on file in the office of the County Clerk, Deschutes County, State of Oregon

be and the same is hereby vacated.

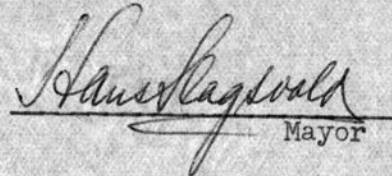
Read for the first time February 2, 1955.

Read for the second time February 16, 1955.

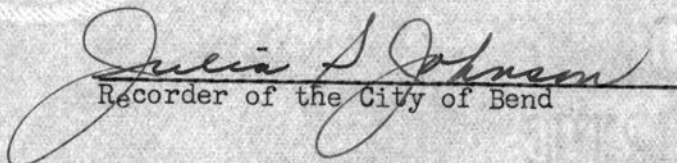
Placed upon its passage February 16, 1955.

YEAS: 7 NAYS: 0

Submitted to and approved by the Mayor this 16th day of February, 1955.


Mayor

ATTEST:


Recorder of the City of Bend



ORDINANCE NO. NS-440

AN ORDINANCE VACATING ALL THAT PORTION OF THE FOLLOWING DESCRIBED ALLEY LOCATION DESCRIBED AS FOLLOWS:

The Alley in Block Six (6) Kenwood Gardens Addition to the City of Bend according to the plat thereof on file in the office of the Clerk of Deschutes County, Oregon.

WHEREAS the City Commission of the City of Bend heretofore on the 19th day of January, 1955, duly and regularly on its own motion under the authority of Sec. 271.130 O.R.S. initiated vacation proceedings for said above described alley location, and

WHEREAS the City Commissioners having considered said matter and having determined that the proposed vacation will not materially affect the market value of any abutting property, and

WHEREAS the vacation proceedings appear to be in order and to meet the requirements of law regulating the vacation of alleys, and

WHEREAS after due notice as required by law, a public hearing was held on the 2nd day of March, 1955, at 8:00 o'clock p.m., at which hearing no objections or remonstrances to such proposed vacation were presented, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

That the following described Alley, located in the City of Bend, Deschutes County, State of Oregon, more particularly described as:

The Alley in Block Six (6) Kenwood Gardens Addition to the City of Bend according to the plat thereof on file in the office of the Clerk of Deschutes County, Oregon.

be and the same is hereby vacated.

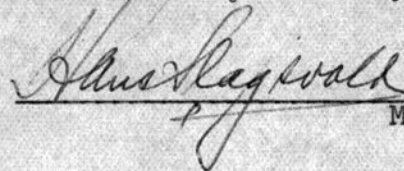
Read for the first time March 2, 1955

Read for the second time March 16, 1955

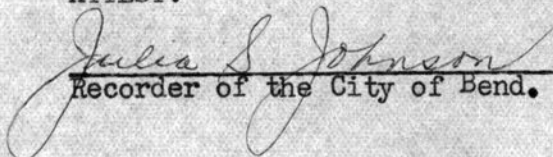
Placed upon its passage March 16, 1955

YEAS: 6 NAYS 0

Submitted to and approved by the Mayor this 16th day of March, 1955.


Mayor

ATTEST:


Recorder of the City of Bend.

ORDINANCE NO. NS-441

AN ORDINANCE REPEALING ORDINANCE NO. NS-272.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. NS-272 shall be and the same hereby is repealed.

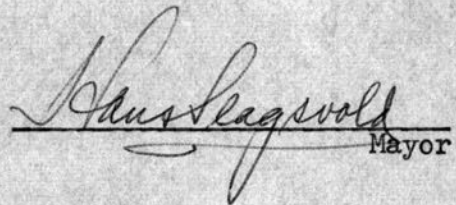
Read for the first time March 2, 1955

Read for the second time March 16, 1955

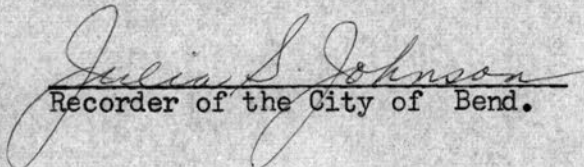
Placed upon its passage March 16, 1955

YEAS: 6 NAYS: 0

Submitted to and approved by the Mayor this 16th day of March, 1955


Mayor

ATTEST:


Recorder of the City of Bend.

Section 2. That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form, to-wit:

No. _____

\$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF DESCHUTES
CITY OF BEND IMPROVEMENT BOND
SERIES 4

KNOW ALL MEN BY THESE PRESENTS that the 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

ONE THOUSAND DOLLARS

in lawful money of the United States on the presentation and surrender of this obligation on the 1st day of May, 19____, without grace, with interest thereon, at the rate of ____ percent (____%) per annum, payable semiannually on the 1st days of May and November of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the office of the Treasurer of the City of Bend, Oregon.

This bond is one of a series of bonds authorized by and under the provisions of the charter of said City and Chapter 223-205 Oregon Revised Statutes, et seq, as amended, 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 it is further certified that all of the requirements of law have been fully complied with by the proper officers in the issuances of this bond.

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

IN WITNESS WHEREOF this bond has been signed by the Mayor and countersigned by the Recorder of the City of Bend, and the corporate seal of said City hereto affixed this 1st day of May, 1955.

Countersigned:

Mayor

Recorder

NS-442

Section 3. The Recorder is hereby authorized and instructed to advertise the aforesaid bonds for sale at the Commission meeting to be held on the 4th day of May, 1955, by the insertion of an advertisement thereof once each week for two successive weeks in the Bend Bulletin, a newspaper published in the City of Bend.

Section 4. WHEREAS, the improvements referred to herein have been completed, and it is necessary to procure funds to pay for the same, and it is necessary for the peace, health and safety of the inhabitants of the City that this ordinance take effect immediately, NOW, THEREFORE,

AN EMERGENCY is declared to exist and this ordinance shall take effect immediately after its enactment and approval.

Read for the first time March 16, 1955

Read for the second time April 6, 1955

Placed upon its passage April 6, 1955

YEAS: 6 . NAYS: 0

Submitted to and approved by the Mayor this 6th day of April, 1955.

Hauslagvold
Mayor

Julia S. Johnson
Recorder

1102

2142
ORDINANCE NO. 442

AN ORDINANCE providing for the issuance of City of Bend Improvement Bonds in the sum of \$23,000.00; providing and approving the form of the bonds to be issued and the coupons attached thereto; providing for the advertisement and sale of said bonds, and declaring an emergency.

WHEREAS the Commission of the City of Bend has heretofore proceeded to improve certain streets in said City, and has duly assessed the cost of such improvements to the property benefited thereby or liable therefor, according to the provisions of the charter of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the sum of Twenty-five Dollars (\$25.00) or more, aggregating in all the sum of \$23,000.00, have within ten (10) days after notice of such assessment was first published, filed with the City Recorder of the said City, written applications to pay said assessments in instalments, each and all of which written applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the street for which said assessment is levied, and in the apportionment of the cost thereof; and

WHEREAS, in no application received as aforesaid, did the amount of such assessment, including all unpaid assessments or previously bonded liens, exceed its assessed valuation as shown by the last tax roll of Deschutes County; and

WHEREAS, the City Recorder has kept all such applications in convenient form for examination; that is to say, the applications received for such street improvement have been kept separate; and

WHEREAS, the City Recorder has entered in a book kept for that purpose under separate heads for each street and sewer improvement, the date of filing of each application, and the names of the applicant, a description of the property and the amount of the assessment as shown in the application; and

WHEREAS, after the expiration of the time for filing applications for

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

WHEREAS, each and every act and thing required by the laws of the state of Oregon and by the charter of the said City precedent to the issuance of these bonds have been heretofore regularly done and performed in the manner and at the time required by law, NOW, THEREFORE,

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1: That the City of Bend shall issue bonds in the name of and under the corporate seal of said City in the amount of Twenty-three Thousand Dollars (\$23,000.00), in the denomination of One Thousand Dollars (\$1,000.00) each, numbered consecutively from 1 to 23, both numbers inclusive, said bonds to bear date May 1, 1955, and 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 serially at the rate of Two Thousand Dollars (\$2,000.00) on the first day of May in each of the years 1956 to 1965, inclusive, and Three Thousand Dollars (\$3,000.00) on the first day of May, 1966. All of said bonds which mature thereafter, shall be subject to call and redemption on May 1, 1957, and on any semiannual interest paying date thereafter, shall bear interest at the rate of not to exceed six percent (6%) per annum, interest payable semiannually, said interest to be evidenced by coupons attached to said bonds, which said coupons shall have the signature of the Mayor and the signature of the Recorder of the City of Bend lithographed thereon, which bonds, together with interest thereon, shall be payable at the office of the Treasurer of the City of Bend, and shall be known as City of Bend Improvement Bonds, Series 4.

On the face of all bonds maturing after May 1, 1957, add a paragraph reading:

This bond is subject to call and redemption on May 1, 1957, and on any semiannual interest paying date thereafter.

(COUPON)

No. _____ \$ _____

THE CITY OF BEND, STATE OF OREGON, will pay to bearer on the first day of ^{MAY} NOVEMBER 19____

_____ DOLLARS

in lawful money of the United States at the office of the Treasurer of the City of Bend, being six months' interest on Improvement Bond No. _____, Series 4.

Countersigned:

Mayor

Recorder

On all coupons maturing after May 1, 1957, add the following:

unless said bond is sooner redeemed, as therein provided, which redemption will render this coupon void.

AN ORDINANCE PROHIBITING THE ERECTION, BUILDING, OR REOPENING OF OUTDOOR TOILET FACILITIES, PROVIDING A THREE YEAR PERIOD FOR THE CESSATION OF USE OF SUCH FACILITIES, PROVIDING FOR ENFORCEMENT THEREOF AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

- SECTION 1. From and after the effective date of this ordinance the erection, building or reopening of outdoor toilet facilities, commonly known as outhouses, Chic Sales, etc., shall be absolutely prohibited within the corporate limits of the City of Bend, Oregon, except and when required by State law or regulation as a temporary expedient during construction projects. Such use shall be temporary and the installation shall be taken down immediately upon the cessation of need.
- SECTION 2. Within a period of three years from and after the effective date of this ordinance, the use, maintenance, or existence of outdoor toilet facilities, shall be and absolutely is hereby banned within the corporate limits of the City of Bend, subject to the conditions noted in Section 1 hereof. A continuation of the use, maintenance, or existence of outdoor toilet facilities after the aforesaid three year period shall be and hereby is declared to be a nuisance.
- SECTION 3. It shall be the duty of the Police Chief and Fire Chief acting jointly and severally to enforce the provisions of this ordinance. Within one year from the effective date of this ordinance they shall have prepared a list of the then existing outdoor toilet facilities and shall cause written notice to be served on the owner, occupant, or other interested party or parties who are either using, allowing to be used, or maintaining the said facilities banned hereby, notifying them of the provisions of this ordinance.
- SECTION 4. Immediately upon the expiration of the three-year period as set forth in Paragraph 2 hereof the Fire Chief and Police Chief, acting jointly or severally, shall cause enforcement proceedings to be instituted to insure the removal of the offending installation. The said enforcement proceedings may be by complaint filed in the Municipal Court of the City of Bend citing a violation of this Ordinance, or the said Police Chief or Fire Chief may provide information of the existence of facilities banned by Section 2, to the City Commission of the City of Bend who shall immediately upon such information being received by them, order the abatement of the nuisance by the City and the cost thereof to be charged back against the perpetrators. If the charge therefor is not paid within ten days from and after the billing thereof, the City Commission may declare same to be a lien against the property whereon such nuisance has been abated and may foreclose on the said property as in the case of delinquent street improvement assessments to effect the collection thereof.
- SECTION 5. It shall be a misdemeanor for any person to violate the terms of this ordinance and upon conviction for such violation in the Municipal Court of the City of Bend, said misdemeanant shall be punished by a fine of not exceeding \$200. or by imprisonment in the City Jail for a period of 90 days, or by both such fine and imprisonment. Each and every day of violation shall be considered a new and separate and distinct offense.

Read for the first time April 6, 1955

Read for the second time May 4, 1955.

Placed upon its passage May 4, 1955

Yeas 7 N ays 0

Submitted to and approved by the Mayor this 4th day of May, 1955.

ATTEST:

Lucia S. Johnson, Recorder

Hans Hagvold

Mayor

ORDINANCE NO. NS-444

An ordinance amending Ordinance No. NS-436, by adding to the District therein set forth, an additional area to be known also as C-IIIa Commercial District.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1. That Section 1 of Ordinance No. NS-436, presently amending Ordinance No. NS-342, be amended by adding to Section 1 thereof a new paragraph setting forth a further area which shall hereinafter be termed a C-IIIa Commercial District, to-wit:

The area bounded on the west by the Alley in Blocks 10, 11, and 12, Lytle Addition, and Block 8, Riverside Addition; thence east along Underwood Avenue to the Railroad tracks, thence south along the railroad tracks to Deschutes Place, thence west to the Alley in Block 10, Lytle Addition.

Section 2. That it is the intent of the ordinance to reclassify the aforescribed district, to effect a change in the official zoning map of the City of Bend, and to make the regulations applicable to this above described district as are presently applied to districts known as C-IIIa Commercial District as set forth in the amended Ordinance No. NS-436

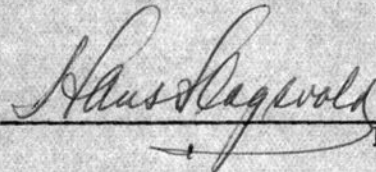
Read for the first time April 27, 1955

Read for the second time May 18, 1955

Placed upon its passage May 18, 1955.

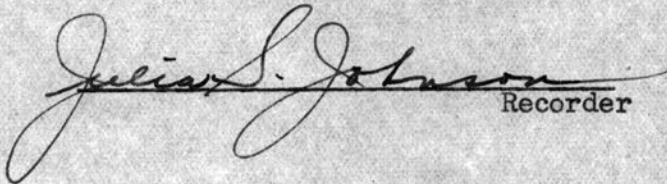
YEAS: 7 NAYS: 0

Submitted to and approved by the Mayor this 18th day of May, 1955.



Mayor

ATTEST:



Recorder

ORDINANCE NO. NS-445

AN ORDINANCE AMENDING PART 3, SECTION 16, SUB-SECTION 4(b), OF ORDINANCE NO. NS-342, CLARIFYING AND EXPANDING THE USES SET FORTH THEREIN AND PROVIDING FOR OFF-STREET PARKING IN CASES OF NEW, ALTERED, OR CHANGED-USE BUILDING OCCUPIED UNDER THE PROVISIONS OF THIS SECTION.

THE CITY OF BEND DOES ORDAIN AS FOLLOWS:

Section 1, Sub-section 4(b), of Section 16, Part 3, of Ordinance NO. NS-342, is hereby and herewith amended by deleting this said Sub-section from the said Ordinance No. NS-342 and substituting in lieu thereof a new Sub-Section 4(b), of Section 16, Part 3, of Ordinance No. NS-342 reading as follows, to-wit:

4(b) The offices of physicians, dentists, or other professional persons, provided that in cases of new and/or altered buildings, including changed-uses, off-street parking must be provided, to-wit: one parking space shall be provided for each 500 square feet of office floor area.

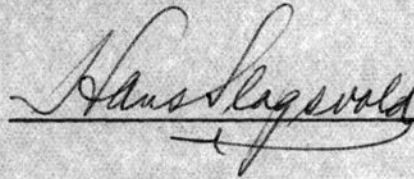
Read for the first time April 27, 1955

Read for the second time May 18, 1955.

Placed upon its passage May 18, 1955.

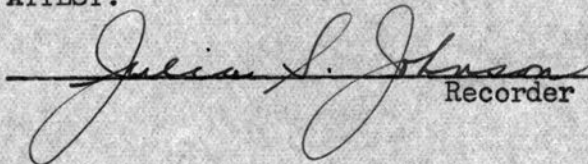
YEAS: 7 NAYS: 0

Submitted to and approved by the Mayor this 18th day of May, 1955.



Mayor

ATTEST:



Recorder