

ORDINANCE NO. 383

Passed January 26th 1904

O-1 383
Passed
1-26-4

11/15/04

An Ordinance providing for the material to be used in and the manner of constructing artificial stone and cement sidewalks in the City of Albany, Oregon, and not specially provided for in Ordinance No. 374 and Ordinance No. 306 and providing further for the maintenance of uniform curb lines within the said City, and for specific authority for building sidewalks and curbs and for penalties for the violation of the terms of this Ordinance and matters kindred thereto.

The people of the City of Albany do ordain as follows:

Section I: - That all sidewalks that may be hereafter constructed in the City of Albany out of artificial stone or cement and concrete in that district within the said City not specially provided for in Ordinance No. 374 and Ordinance No. 306 shall be five feet wide, and the said walk shall be set out one foot from the property line of the lot along which said sidewalk is constructed, and in no case shall the outer edge of any sidewalk be more than six feet from the property line in front of which the said sidewalk is constructed.

Section II: - That all sidewalks which may be hereafter constructed as provided in section one of this ordinance shall be placed upon the street grade as is established by surveys and ordinances and shall conform strictly to the official street grade; and the said sidewalk, if constructed out of cement and concrete, shall consist of eight parts gravel and one part of cement for the base thereof, which shall be ascertained and measured in some suitable and sufficient measure, and the top dressing shall not be less than 3/4 inch thick, and composed of 50 percent of sand and 50 per cent of cement, and have a one fourth inch slope to the foot, from the inside to the curb - and along the front of the said sidewalks provided for in this section one of this ordinance shall be placed a curb of artificial stone or cement

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twelve feet low, and parallel with the front line of the lot along which the said sidewalk is constructed, and said curb shall not be less than six inches high and not less than eighteen inches deep, and each section of such curb shall not be less than five feet in length, and when said sidewalk and curb is completed the same shall be inspected by the City Engineer or Superintendent of Streets of the City and by him received or rejected.

Section III. - That all sidewalks which may be hereafter constructed, as provided for in section one of this ordinance, shall be uniform as to the material, dimensions and distances from the property lines along which they are built, and the space between the property line and said sidewalk and the curb line shall be filled and surfaced with earth or other suitable material.

Section IV. - Every person, firm, company or corporation, desiring to construct sidewalks or curbs or both as provided for in section No. one of this ordinance, shall, before entering upon said work or improvement, apply for a permit to so build and construct, to the Superintendent of Streets of the City of Albany, and shall state to said Superintendent of Streets, in explicit terms, the character of the sidewalk or curb or both, to be built, the location by lot and block numbers and by streets, the material to be used, and the dimensions to be employed in the said work, and if in the opinion of the said Superintendent of Streets the intended improvement does not conflict with the terms of this ordinance, then it shall be the duty of the said Superintendent of Streets to furnish said applicant, without charge or cost, a written permit to so build and improve in accordance with the location, material, distances and dimensions asked for. In case of the refusal of the Superintendent of Streets to furnish said applicant with a permit as herein provided for, the said applicant shall have the right to apply

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to the Common Council for relief and the Council shall hear and decide the matter at issue, and make an order ratifying the act of the Superintendent of Streets or enforcing the issuance of said permit, and cause the order so made to be entered upon the Journal of the proceedings of said Council for the session at which the said hearing and decision was had and made.

Section I:- Any person, firm, company or corporation or their agent or agents violating any of the provisions of this ordinance shall, upon conviction thereof before the Recorder of the said City of Albany, Oregon, be punished by a fine of not less than \$10.00 nor more than \$100.00 or be imprisoned in the City Jail for a period of not less than five days nor more than twenty days, or both in discretion of the Court.

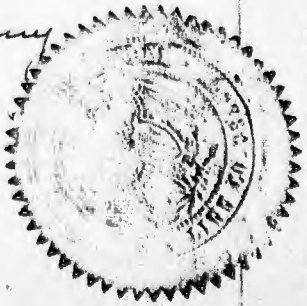
Section II. That all ordinances or parts of ordinances in so far as they are in conflict with this ordinance, be and the same hereby repealed.

Section III:- This ordinance shall take effect and be in full force from and after its approval by the Mayor.

Approved this 27th day of January 1914

W. D. Adams
Mayor of the City of Albany

Attest:- J. S. Vaultinkle
Recorder of the City of Albany.



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City Recorder's Certificate.

STATE OF OREGON.

COUNTY OF LINN.

I, J. S. VAN WINKLE, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing ~~and annexed copy of~~

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has been by me carefully compared with the original *Ordinance bill No. 407* now on file in my office, and that it is a true and correct copy of all and the whole of said

Ordinance bill No. 407 as passed by the City Council of the City of Albany, Oregon, January 26th 1904

Witness, my hand and official signature and the seal of the City of Albany, this

27th day of *January* 190*4*

J. S. Van Winkle
Recorder of the City of Albany.