

Ordinance No. 288.

Are Ordinance to make assessment and levy, and collect a tax thereon for street and road work within the city of Albany, Oregon, and to provide for the manner of collecting the same, and to provide for the manner of doing the work upon the streets, and roads in said City.

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The People of the City of Albany do Ordain as follows:

Section 1: That the City Recorder shall immediately after the approval of this Ordinance make an assessment of all the property situated within the corporate limits of the City of Albany from the assessment roll heretofore made by the Assessor of Linn County, Oregon, as equalized by the Board of Equalization of Oregon Linn County, Oregon, and the State Board of Equalization of Oregon, for the year 1894, and make an alphabetical list of all the persons liable for road or street tax as hereinafter provided, and a list of all the persons having property liable to assessment and taxation for street, and road work, as hereinafter provided, and as soon as said assessment is completed to certify the same to the Council of the City of Albany.

Section 2: The City Council shall at its next meeting after the return by the City Recorder of such assessment roll, make and levy for street and road purposes a tax on all the property within the City of Albany of \$1.00 upon each and every \$100.00 assessed, as shown by the assessment roll as returned by the City Recorder as provided in section one, and at the same time shall levy an assessment of \$2.50 upon each male inhabitant within the City between the ages of 21 and 50 years, excepting persons who are public charges, or invalids or active or exempt firemen of any organized Company of Albany for street, and road purposes, to be used in the repair or improvement of the streets, and roads

in the city of Albany.

Section 3: That the City Council shall cause the Recorder of the said City of Albany, to issue under the seal of the City, a warrant to the City Marshal, as such tax collector, commanding him to collect the taxes assessed upon the assessment roll annexed to said warrant, and to make due return thereof to the City, which warrant shall be substantially in the following form:

To _____
City Marshal of the City of Albany:
In the name of the City of Albany, Linn County, and State of Oregon:

You are hereby commanded to collect the street and road tax levied on the _____ day of _____ 189__ in said City of Albany, County of Linn, and State of Oregon, as shown by the assessment roll hereto annexed, and make due return to the City within _____ days from this date. That said taxes must be paid either in money, or by labor upon the streets, under the direction, and in accordance with the order of the City Council, and Superintendent of Streets. If paid in work in lieu of money, said work or labor to be received in payment of said tax at the rate of \$1.25 for each days labor for the amount provided that such labor is done to the satisfaction, and according to the direction of the City Council, and Superintendent of Streets.

Witness my hand, and official signature, and the seal of the City of Albany attached this _____ day of _____ 189__

{seal} Recorder of the City of Albany.

Section 4: The Marshal shall be tax collector of the City of Albany.

Section 5: That the City Marshal shall, immediately after he receives from the City Recorder the tax roll, as provided for in Section 3. of this Ordinance, give notice to the tax payers upon the tax roll of the City of Albany

of the time when said taxes become due, and the place where the same can be paid, which said notice shall be given at least ten days by publication in the daily or weekly newspaper published in the city of Albany; if such tax payer, or any of them shall within three days after the last publication of said notice, notify the Marshal in writing that he elects to perform labor upon the streets in lieu of paying said tax in money, and that he will be ready at any time thereafter, upon receiving three days notice from the Superintendent of Streets to perform such work either in person or by substitute upon the streets with, or without a team or tools in payment of such taxes.

Section 6. The City Marshal shall at least twice a month report to the City Council the amount of money collected, from whom collected, and the name of any person, or persons that have notified him, as provided in Section 5 of their election to pay their said road or street tax in work.

Section 7. It shall be the duty of the Council immediately after this ordinance takes effect to elect, or appoint some suitable person to serve as Superintendent of Streets, who shall hold office during the pleasure of the Council, and be under ~~the~~ immediate direction, and control, and shall receive as compensation for his services the sum of \$5.00 for each and every day's work done, and performed by him under the direction of the Council, or the Committee on Streets, and Public Property.

Section 8. It shall be the duty of the Superintendent of Streets, to notify all persons who have signified their intention to pay their street or road in labor, of the time and place where they shall appear for work, giving such person so notified at least three days notice of the time and place where they shall appear for the purpose of working the streets, as provided herein.

Section 9. Every person notified to labor upon the public streets under the provisions of this ordinance shall be required to appear at the place appointed by the Superintendent of Streets, at the time mentioned in such notice with such necessary tools, and implements as said Superintendent of Streets may direct, and work industriously, and diligently during at least eight hours of faithful labor of each day at such work, and in such manner as shall be directed by the Superintendent of Streets, and such Superintendent of Streets may, if he deems it necessary, require any person owning the same, to furnish a team of horses or mules, a wagon, cart, scraper or plow to be employed or used in the streets, under the direction of the Superintendent of Streets; such person shall be allowed a reasonable compensation for the use of such team, wagon, cart, scraper, or plow in discharge of any labor due from such person, the amount to be fixed by the City Council.

If any person notified to work upon the streets, as herein provided, shall refuse to attend at the time appointed, or refuse to obey the directions of the Superintendent of Streets, or passes his time in idleness, or inattention to the labor assigned him, such person shall be returned as delinquent to the City Council.

Section 10. The City Council shall cause the Recorder to make out a delinquent list of tax payers for coal and street work at such time as they may deem it necessary, and shall issue a warrant thereunto under the seal of the City directed to the Marshal with directions to sell either personal, or real property belonging to such delinquent, or a sufficient amount thereof to pay the costs, and expenses of such sale and the amount of such tax, together with the amount of 25% of the amount of such taxes added in addition as a penalty of such delinquency. That no property, real or personal shall be exempt from levy or sale thereon. All such sales shall be made in the same manner and with like effect, as like property is sold under execution under the general laws of Oregon.

Section 11: That all of the moneys collected by the City Marshal under the provisions of this Ordinance shall be set apart, and made a Street Fund, and shall not be used for any other purpose whatever, except for the improvement of streets, roads, and alleys within said City.

Section 12: Whenever the Superintendent of Streets, shall find any person or property within the City liable to pay a tax, road or street work, or any property for which he should have been assessed therefor not so assessed, the name of such person and property shall be placed upon the roll, and by him assessed for the amount due from him or upon the said property for street, or road purposes.

Section 13: That the City Council shall, from time to time, and as often as they may deem it necessary by resolution, determine what work shall be done, and upon what streets, and direct the Superintendent of Streets how he shall repair the same, the kind of improvements to be made thereon, and direct what labor shall be hired or employed thereon, and fix the compensation thereof, and the Superintendent of Streets, shall make and return an itemized statement of all the work done, by whom done and the compensation to be paid therefor.

Section 14: ^{That} All Ordinances and parts of Ordinances in conflict with this Ordinance be, and the same are hereby repealed.

Section 15: As there is urgent necessity for the improvement of the streets in the City this Ordinance to be in force and effect from and after its approval by the Mayor.

Approved April 30th 1898.

L. J. Linn
Mayor of the City of Albany.

Attest.

W. H. Leggett
Recorder of the City of Albany.

Ordinance no 288 passed April 23rd - 1890.

Recorder's Certificate to ordinance no-288.

Office of City Recorder.

State of Oregon }
County of Linn }

I, J. H. Norton, Recorder of the City of Albany,
Oregon, do hereby certify, that the foregoing ordinance
no-288, has been by me carefully compared, with the
original ordinance bill no-301 now on file in this
Office, and that it is a true, and correct copy of all,
and the whole of said original ordinance bill no-301, as
passed by the Council of said City, the 23rd day of April,
1890.

In testimony whereof I have hereunto set my hand,
and affixed the seal of the City of Albany, this 25th day
of April A. D. 1890.

J. H. Norton,
Recorder of the City of Albany.

