

ORDINANCE No. 382

Passed January 26th 1904

1506
 Ord No. 382
 Passed 1-26-04

An Ordinance providing for the materials to be used in, and the manner of constructing sidewalks on Lyon Street, from the south side of Fourth Street to the north side of Ninth Street, in the City of Albany, Oregon, and providing further for the maintenance of uniform curb lines along said Lyon Street within the said City, 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 on Lyon Street from the South side of Fourth Street to the North side of Ninth Street, in the City of Albany, Oregon, shall be six feet wide and shall be constructed of artificial stone or cement.

Section II:- Along the front of the sidewalks provided for in section one of this ordinance, shall be placed a curb of artificial stone or cement 12 feet from 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 wide and not less than eighteen inches deep, and each section of such curb shall not be less than five feet in length. And the said sidewalk and curb so constructed shall consist of eight parts of 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 three-fourths inches thick and composed of fifty percent of sand and fifty percent of cement, and have a one-fourth inch slope to the foot, from the inside to the curb of said walk.

Section III:- That all sidewalks which may be hereafter constructed as provided for in section I of this ordinance, shall be placed upon the street grade as now established and shall conform strictly to the official street grades and the same shall be set two feet from the property line of the lot along which the said sidewalk is constructed, and shall

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be uniform as to the material, dimensions, and distance from the property line along which they are built, and the same space between the property line and the said sidewalk and the curb line shall be filled and surfaced with sand or other suitable material; 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 IV. - Every person, firm, company or corporation, desiring to construct sidewalks or curbs or both as provided for in Section No. I 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 except, a written permit to so build and improve in accordance with the location, material, distance 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 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 refusal of said permit, and cause the same to be entered upon the Journal of the proceedings of said Council for

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the session at which the said hearing and decision was had and made.

Section I. - Any persons 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 \$500 nor more than \$1,000, or be imprisoned in the City Jail for a period of not less than five days nor more than twenty days or both in the 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 are hereby repealed.

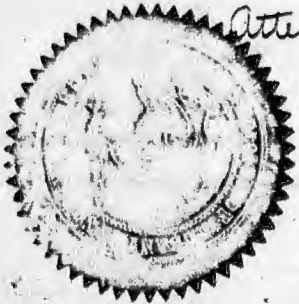
Section III. - This ordinance shall take effect and be in full force from and after its approval by the Mayor.

Approved this 27th day of January 1904.

W. H. Davis
Mayor of the City of Albany

Attest:-

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



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~~
Ordinance No. 382

has been by me carefully compared with the original Ordinance bill No. 406 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. 406 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 1904

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