

AN ORDINANCE TO AMEND ORDINANCE NO. 2754 AS AMENDED BY ORDINANCE NO. 2912 RELATING TO DRIVEWAYS BY ADDITION THERETO OF A SECTION PROVIDING FOR CHANGE OR ABANDONMENT OF USE OF DRIVEWAYS IN C-1, C-2, BP-1, M-1, M-2 OR M-3 ZONES, REQUIRING NOTICE TO CONSTRUCT OR RECONSTRUCT SIDEWALK PARKING STRIPS AND CURBING AND RECONSTRUCTING SIDEWALKS OR PARKING STRIPS AND CURBING BY THE CITY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: AMENDMENT

Section 7a of Ordinance No. 2754 as amended is hereby amended to read as follows:

"Section 7a: CHANGE OR ABANDONMENT OF USE OF DRIVEWAYS

Whenever the use of any service driveway in connection with any premises located in a C-1, C-2, BP-1, M-1, M-2 or M-3 zone as defined in Ordinance No. 2916, is changed, discontinued or abandoned, either application shall be made as provided in this Ordinance for a service driveway appropriate to the owner's property use or the sidewalk parking strip or curbing shall be made to conform to the adjoining sidewalk parking strip or curbing within sixty (60) days after such change of use."

Section 2: AMENDMENT

Section 7b of Ordinance No. 2754 as amended is hereby amended to read as follows:

"Section 7b:

Whenever the City Engineer shall determine the use of any service driveway in connection with any premises located in a C-1, C-2, BP-1, M-1, M-2 or M-3 zone as defined in Ordinance No. 2916 has been changed, discontinued or abandoned, he shall cause notice to be posted upon the property in front of which a sidewalk, parking strip or curbing is to be constructed in lieu of such driveway, which notice shall, in legible characters, direct the owner, agent or occupant of the property within sixty (60) days from the date of said posting, to construct or reconstruct said sidewalk, parking strip or curbing, as in such notice is provided, to conform to the adjoining sidewalk parking strip or curb as the Engineer may direct. The authorized representative of the City Engineer posting the notice shall file with the Recorder an affidavit of posting such notice, stating the date, place where the notice is posted. The Recorder shall, upon receiving the affidavit, send by mail a notice to construct the sidewalk, parking strip or curbing to conform to the adjoining sidewalk, parking strip or curbing, as the City Engineer may direct, in lieu of the driveway, such notice to be mailed to the owner, if known, of such property or to the agent, if known, and directed to the post office address of such owner or agent when such post office address is known to the Recorder. If such post office address is unknown to the Recorder, such notice shall be directed to the owner or agent as shown by the assessment records of the Assessor of the County of Linn, State of Oregon. A mistake in the name of the owner or agent, other than that of the true owner or agent of such property, shall not remedy the notice void, but, in such case, a posted notice shall be sufficient. The owner, agent or occupant before constructing or reconstructing the sidewalk, parking strip or curbing, as in the notice provided, shall obtain from the City Engineer a permit to do so in accordance with Section 2 of Ordinance No. 2754."

Passed by the Council: September 12, 1962

Approved by the Mayor: September 12, 1962

Effective Date: October 12, 1962

W. L. Citypatrick
Mayor

ATTEST:

Ernest W. Isham
City Recorder