

Repealed by Ord. 1506  
Repealed by Ord. 392

ORDINANCE NO 37

Passed by council April 14 1903

Ord. 393

Ord No. 374  
Passed by  
Council  
April 11, 1903  
See Ord. 383  
Rep 1506  
392.

A bill for an ordinance providing for the material to be used in, and the manner of constructing, sidewalks on First Street from the East side of Washington Street to the East side of Baker Street, and on Second Street from the West side of Ferry Street to the East side of Lyon Street, and on Ferry, Broadabin, Ellsworth and Lyon Streets from First to Second Streets, and on Ferry, Broadabin, Ellsworth and Lyon Street from Second to Fourth Streets in the City of Albany, Oregon, and providing further, for the maintenance of uniform curbs, lines within the said City and for specific authorities for repairing and building sidewalks and curbs, and for penalties for the violation of the terms of this ordinance and for other things therein.

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

Section I:- That all sidewalks that may hereafter be constructed on First Street from the East side of Washington Street to the East side of Baker Street, and on Second Street from the West side of Ferry Street to the East side of Lyon Street in the City of Albany, Oregon, shall be twelve feet wide, and shall be constructed and made of artificial stone or cement, and that all sidewalks which may be hereafter constructed on Ferry, Broadabin, Ellsworth and Lyon Streets running from First to Second Streets shall be ten feet wide and shall be constructed and made of artificial stone or cement; and all sidewalks which may hereafter be constructed on Third and Fourth Streets from the West side of Ferry Street to the East side of Lyon Street, and on Ferry, Broadabin,



Fellsworth and Lyon Streets, running from Second to Fourth Streets shall be eight feet wide and shall be constructed and made of artificial stone or cement.

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Section II: - Along the front of the sidewalks provided for in Section I of this Ordinance, shall be placed a curb of artificial stone or cement twelve 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 ~~each~~ sidewalk, if constructed out of cement and concrete shall consist of eight parts of gravel and one part of cement for the base thereof and the top dressing shall not be less than three-fourths inches thick and composed of fifty per cent of sand and fifty per cent of cement and with a one fourth inch slope to the foot from the inside to the curb of said sidewalk.

Section III: - That all sidewalks which may hereafter be constructed in the City of Albany, Oregon, shall be placed upon the street grade as is now established and shall conform strictly to the official street grades and shall be uniform as to the material, dimensions and distances from the property lines along which they are built and the space between said sidewalks and the curb line shall be filled and surfaced with earth or other suitable material.

Provided that where the sidewalk is less than ten feet in width as provided for in section I of this ordinance, the said cement walk may be set out a distance of not more than twelve inches from the property line and the space between the said walk and the property line shall be filled and surfaced with



## ORDINANCE NO. 374.

earth or other suitable material.

Section 4:— Every person, firm, company or corporation, desiring to construct sidewalks or curbs, or both, shall, before entering upon said work or improvements, notify in a permit to be filed on file with 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, or other improvement intended to be built, the location by lot, and ~~the~~ <sup>the</sup> lot numbers, and by streets; the material to be used and the dimensions to be employed in said work; and if, on 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 issue said permit, without charge or cost, 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 issue said permit, or a permit, or herein provided, the said applicant shall have the right to appeal 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 said Superintendent of Streets, or enforcing the issuance of said permit, and cause the same 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 5:— Each and every provision of this ordinance shall apply and govern in the matter of repairs to sidewalks already built and shall be observed and enforced in



the matter of repairs to sidewalks and curbs - as determined in the case of the construction of a new sidewalk or curb on each.

And because of a sidewalk or curb are hereby determined and decided to in such improvement to a wooden sidewalk or curb for shall not involve the laying of one or more new strings there under and one composed solely of the laying of one or more new boards on said sidewalk the top side of said sidewalk or the setting up of a new curb board in front of said sidewalk.

Section 6: - 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 said City of Albany, Oregon, be punished by a fine of not less than ten dollars (\$10.00) nor more than a hundred dollars (\$100.00), or to be imprisoned in the City Jail for a period of not less than five days nor more than twenty days or both at the discretion of the Court.

~~Section 7:~~ Section 7: - All ordinances or parts of ordinances in so far as they are in conflict with this ordinance be and the same, are hereby repealed.

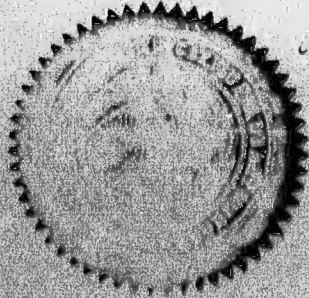
Section 8: - This ordinance shall take effect and be in full force from and after its approval by the Mayor.

Approved this 5<sup>th</sup> day of April 1909.

W. H. Davis  
Mayor of the City of Albany

Attest -

J. S. Vaulklee  
Recorder of the City of Albany.





ORDINANCE No. 374

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. 374*

has been by me carefully compared with the original *Ordinance bill No. 398* 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. 398 as passed by the City Council of the City of Albany Oregon April 14<sup>th</sup> 1903*

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

*15<sup>th</sup>* day of *April* 190*3*

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