

ORDINANCE NO. 1321

AN ORDINANCE relating to the cutting and removal of grass, weeds and other noxious vegetation from the streets and abutting property in the City of Albany, Oregon; to define what shall constitute a nuisance regarding such grass, weeds and vegetation; to provide for the abatement of such nuisance; to make the cost of removal of such nuisance a lien on the property where such nuisance existed; to provide a penalty for violation of this ordinance, and declaring an emergency.

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

Section 1. The owner, or reputed owner, of any lot, tract or parcel of land, improved or unimproved, shall during the months of May, June, July, August and September of each year, cut and remove and keep out and removed therefrom and from the half of the street, or streets abutting such property, all grass, weeds and other noxious vegetation more than ten(10) inches in height, and all dead bushes, trees, debris, and other things of an inflammable character; the existence of any of the foregoing conditions upon any property within the City of Albany shall be, and is hereby, declared to constitute a nuisance, and any one whose duty it is to remove such nuisance, as provided by this ordinance, and who fails to do so, upon conviction thereof in the Recorder's Court shall be punished by a fine of not to exceed Fifty Dollars (\$50.00), or by imprisonment in the City Jail for not more than twenty-five (25) days, or by both such fine and imprisonment.

2. It is hereby made the duty of the Fire Department of the City of Albany to make such inspection as may be necessary for the enforcement of the provisions of this ordinance, and whenever such nuisance as is defined in section 1 hereof shall be found to exist on any property in said city it shall be the duty of the chief of the fire department to notify the owner, or reputed owner, of such property of the existence of such nuisance in writing, by mail, at his last place of residence, and a copy of such notice on the same date shall be conspicuously posted on the premises where such nuisance exists; such notice shall require that such nuisance be removed and abated within five (5) days from the date thereof, and shall require that the failure to remove such nuisance within said time will constitute a violation of this ordinance, and thereupon the city of Albany will cause such nuisance to be removed, and will cause the cost thereof to be charged against and become a lien on said property.

3. In the event the owner, or reputed owner, of such property, shall fail to remove or cause such nuisance to be removed within the time specified within the notice provided for in section 2 hereof, then, and in, such event, the chief of the fire department, on behalf of the City of Albany, and with such labor and material as may be necessary, shall remove and abate such nuisance, and in so doing shall keep a strict itemized account of the cost of labor and materials used in connection with such removal, and report the same to the Council at its next regular session, and in such report shall definitely describe the property on which such nuisance was so removed, together with the name, or names of the owner, or owners, or reputed owner or owners thereof. The Council shall inspect such report of the Chief of the Fire Department as to the cost incurred in removing such nuisance, and if the same be reasonable shall approve such report, and by ordinance assess upon each of the lots or parts thereof, or parcels of land upon which such nuisance was so removed the amount of cost of removing such nuisance as approved by it. Such assessment shall then be entered in the Decket of City Liens and collected in the same manner as is provided for the collection of assessments of street improvements.

Section 4. Whereas, the existing conditions are such that the peace, health and safety of the people of the City of Albany, Oregon, are involved, therefore, an emergency is hereby declared to exist and this ordinance shall be in effect immediately upon its final passage and approval by the Mayor.

Passed by the Council July 10, 1929
Approved by the Mayor July 10, 1929.

Attest:
F.P.Nutting, Recorder of the City of Albany, Oregon
V.L.CALAVAN, Mayor

STATE OF OREGON,
County of Linn

ss. I, F.P.Nutting, Recorder of the City of Albany, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1321 has been by me carefully compared with the original Ordinance Bill No. 1428, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1428, passed by the Council July 10, 1929 and approved by the Mayor July 10, 1929.

Witness my hand and official signature and the seal of the City of Albany this 12th day of July, 1929.

F.P. Nutting
City Recorder.