

First Reading Feb. 13, 1948
Second Reading Feb. 10, 1948
Third Reading Feb. 24, 1948

ORDINANCE BILL No. 1 for 1948.

Ordinance No. 139

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION
AND REPAIR OF SIDEWALKS AND CURBS.

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. Whenever the Council shall deem it expedient or necessary that any new sidewalk or curb shall be constructed, or any existing sidewalk or curb shall be repaired, it shall adopt a resolution declaring the same to be expedient and necessary, and describe in said resolution the work to be done, the width and location thereof, the name of the owner of the abutting property, together with the location and description thereof, and the time within which the same shall be completed; provided that owners resident within the City shall be allowed at least ten (10) days and non-resident property owners shall be allowed at least twenty (20) days within which to complete the construction of any said work; said resolution to provide for said construction to be made at the expense of the adjacent and abutting property owner.

Section 2. A notice containing the substance of the resolution provided for in Section 1 hereof shall, within five (5) days after the passage thereof, be posted by the superintendent of Streets upon the lot or parcel of land adjacent to and abutting upon said sidewalk or curb to be built or repaired, headed "notice to build sidewalk", in letters not less than one inch in height, which said notice shall direct the

owner of said property to construct or repair said sidewalk or curb within the time specified in the resolution. The Superintendent of Streets shall file with the City Manager an affidavit of posting of such notice, stating the date, manner, and the place where the same was posted, and the City Manager shall, within five (5) days from the date of the passage of said resolution, send by mail a notice to build or repair said sidewalk to the owner of said property, directed to the postoffice address of such owner when such postoffice address is known to the City Manager, and if such postoffice address is unknown to the City Manager, a notice shall be directed to the owner at Sweet Home, Oregon, personal service of notice upon the owner, and the affidavit thereof filed with the City Manager shall be equivalent to posting notice upon the property and mailing such notice.

Section 3. If the owner of any such lot or parcel of land shall fail, refuse, or neglect to build or repair such sidewalk or curb within the time ordered by the Council, the Superintendent of Streets shall build or repair or cause the same to be built or repaired, and keep an accurate account of the work and report the same as soon as completed, together with the description of the lot or parcel of land fronting or abutting upon said sidewalk or curb which has been built or repaired.

Section 4. The Council shall inspect such reports and if it deems them reasonable it shall approve the same and by ordinance assess against the property fronting and abutting upon said sidewalk or curb the total cost thereof, or if more than one lot or parcel of land is subject to such improvement,

the proportionate share thereof to be borne by each, and declare the assessment therefor and a lien upon each lot or parcel of land, and order the same to be entered in the docket of city liens;

The ordinance fixing and determining assessments hereunder may combine several assessments in one assessment ordinance, and the same shall be entered on the docket of city liens and collected in the same manner as provided for the collection of assessments for street improvements.

Section 5. There is reserved unto the Council the right and power to determine the necessity of building or repairing any sidewalk or curb within the City, but in all cases such improvement shall be concrete, and shall be laid on the official grade furnished by the City Engineer, unless specifically otherwise ordered by the Council, and all sidewalks shall be made with a fall of one-quarter inch ($\frac{1}{4}$ ") to the foot toward the street, and shall meet the curb flush with the top thereof at all street intersections and wherever integral sidewalk and curb shall be constructed.

Section 6. Sidewalks shall be constructed as

follows:

- a. Not less than 4" thick composed of one part of Portland Cement to not more than three parts sand, and 4 parts gravel, or broken stone.
- b. The grade of the finished sidewalk shall conform to the grade line as given by the City Engineer, who shall at all times have the right to supervise the construction thereof to determine the grade of materials, and prepare and enforce general plans and specifications covering the construction thereof.

Section 7. All curbs shall be constructed of

concrete and shall be of the following specifications:

a. Curbs shall be 6" in width, with a base of not less than 7" thick composed of one part Portland cement to three parts of sand and four parts of gravel; shall be 16" deep, 6" exposed above the surface of the ground and 10" below the ground surface.

b. The grade of the finished curb shall conform to the grade line given by the City Engineer.

Section 8. It shall be the duty of the Superintendent of Streets to require all persons maintaining sidewalks along their property to keep the same clean, and in case any sidewalks shall not be kept clean it shall be the duty of said Superintendent of Streets to serve notice immediately upon the owner or owners of the property upon which said sidewalk abuts, that such sidewalk should be cleaned, and each property owner shall be liable for the cost thereof, and the refusal or neglect of any property owner to clean his sidewalk after notice by the Superintendent of Streets, in the manner and for the time as provided herein for the construction and repair of sidewalks the said Superintendent shall proceed to clean said sidewalk if it be required, and report the same to the Council at its next meeting, together with a statement of the expense thereof, and the Council shall have the power to assess the abutting property and levy a lien thereon for the cost of said cleaning.


Section 9. All ordinances and parts of ordinances in conflict herewith are hereby repealed or amended to conform herewith as the case may be.

Section 10. Inasmuch as there are many sidewalks of the city in need of repair, and many curbs and sidewalks in need of construction to provide pedestrian travel for the people of the city, this ordinance is for the peace and health, safety and general welfare of the people of the City of Sweet Home, and an emergency is therefore declared to exist, and this ordinance shall become in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor,
this 24 day of January, ^{February - Jess M. Parker} 1948.

ATTEST:


City Recorder.


Mayor

January 13, 1948 - First Reading
February 10, 1948 - Second Reading
February 24, 1948 - Third Reading