

Protection of Pavements and sidewalks

Ord 526
 Protection of Pavements and sidewalks
 and sidewalks and pavements on the improved streets in said City of Albany, Oregon.

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

Section 1. It shall be unlawful for any person or persons, firm or corporation owning or using either for hire or otherwise, any wagon, truck or vehicle of any description, drawn by horses or any other power for the transportation of earth, sand, gravel, stone, or rock taken from excavations, bunkers or elsewhere, such wagon, truck or vehicle upon or over any paved street or streets in the City of Albany, without having suitable protection both at the ends sides and bottom of such wagon, truck or vehicle so to prevent effectually the chelling or depositing of such earth, sand gravel or stone, et-cetera upon any paved street or streets in the City of Albany.

Section 2. That it shall be unlawful for any person or persons, firm or corporation, contractor or contractors either by his or their agents or employees to deposit earth, gravel, sand, rock or stone or other material of like nature upon any sidewalk or pavement, or to prepare a concrete mixture thereon in the City of Albany, except under a special permit in writing by the Superintendent of streets, which permit shall distinctly state that such deposits and such concrete mixture may be made only when the sidewalk or pavement is suitably protected from any injury to it by placing thereon suitable receptacles or boards laid thereon, for receiving the same, said boards to be not less than one inch in thickness, and that no heavy substance shall be permitted to fall on such sidewalk or pavement or its covering in any way that would be liable to break or in any way injure such sidewalk or pavement.

Section 3. That it shall be unlawful for any person, firm, corporation or contractor to haul, push, or run over or upon any public streets of the City of Albany as are improved with any kind of pavement such as

ORDINANCE NO. 526.

Protection of Pavements and Side-walks.

Bitulithic, Asphalt, Wood blocks, or Brick and steam trucking engine or any other engine or machine running on wheels, the tires of which have a rough or corrugated surface. It shall also be unlawful for any person to cause or permit to be carried, hauled, or drawn on any truck, dray or other vehicle belonging to him or in his charge or control, over or upon streets paved or improved as above set forth, any load exceeding ten thousand pounds in weight.

Section 4. It shall be unlawful for any person, firm or corporation either by him or themselves, or his or their agent or employee, to cause any fire to be kindled on any bitulithic or similar pavement, or to heat any roofing or other material on or above such pavement in the City of Albany.

Section 5. It shall be unlawful for any person or persons, firm or corporation, contractor or contractors to in any manner tear up, dig up, drive stakes or disturb the surface of any improved street in the City of Albany where the street improvement has a concrete foundation except upon a written permit by the Superintendent of streets, which shall only be issued on an agreement in writing that the party applying for such permit will at his or its own expense promptly repair or cause to be repaired said pavement in a manner and with material equal to that originally used in the construction of the pavement, and to pay all expense incident to such disturbance of the street.

Section 6. That it shall be unlawful for any person or persons, firm or corporation, contractor or contractors to move or cause to be moved any building or buildings over or upon any street improved by bitulithic or similar pavement, in the City of Albany, unless the same be placed upon rollers not less than four feet in length and resting upon plank or boards at least twelve inches in width.

Section 7. Any person or persons, firm or corporation, contractor or contractors, violating any provisions of this ordinance, shall upon conviction thereof in the Recorder's Court of the

Protection of Pavements and Side-walks.

City of Albany, be fined not less than five dollars, nor more than fifty dollars, or by imprisonment not less than two days, nor more than twenty-five days, or both such fine and imprisonment for each and every such violation of this ordinance; and in addition such person, persons, firm or corporation, contractor or contractors shall be liable for damages to such street or streets by reason of the violation of the provisions of this ordinance, such damages to be recovered by the City of Albany, before any court of competent jurisdiction.

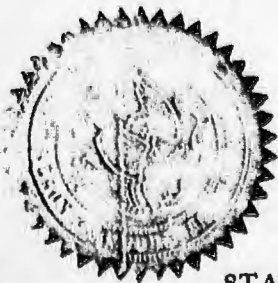
Section 8. Inasmuch as certain provisions of this ordinance are being daily violated, the passage of this ordinance is necessary for the immediate preservation of the public peace, health and safety of said City, hence an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its approval by the Mayor.

Passed the Council Sept 28, 1910

Approved, October 7, 1910

Attest: J. M. Redfield, Recorder of the City of Albany.

J. P. Wallace, Mayor.



CITY RECORDER'S CERTIFICATE.

STATE OF OREGON, } ss.
COUNTY OF LINN, }

I, F. M. REDFIELD, 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. 526
has been by me carefully compared with the original Ordinance Bill No. 576
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. 576 as passed by the Council
of the City of Albany, Oregon, Sept. 28, 1910

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

7th day of Oct 1910
F. M. Redfield
Recorder of the City of Albany.