

ORDINANCE NO. 1675

A Bill For:

An Ordinance regulating the burning of refuse from plants or sawmills within the limits of the City of Albany; prescribing a license for such refuse burning; providing a penalty for violation hereof; repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency.

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

Section 1. A refuse burner shall be taken to mean any place where the refuse, wither wood, sawdust, or other waste materials, from any plant or sawmill, is burned by the owners or operators, of such sawmill or plant and in connection with such sawmill, or plant.

Section 2. Every person, firm or corporation desiring to use a refuse burner within the limits of the City of Albany shall first obtain a license therefore, in the manner following to-wit: application for such license shall be made by petition to the Council, and such petition shall be signed by the owner or owners, or operator, and shall state the particular place where such refuse burner is to be located and shall give its distance in feet from the nearest building, structure, super-structure, dock, framework, or lumber, and shall state within what time the same shall be constructed and used. Such application shall first be refered to the fire chief and also the committee of the Council on fire and water and shall receive their approval before such refuse burner may be put in operation.

Section 3. All refuse burners hereafter operated in the city limits, of Albany shall comply with the requirements of the Council of said city and shall be constructed and maintained an adequate distance from all buildings, structures, super-structures, docks, framework, or lumber piles and shall be constructed so as to adequately prevent the spread of fire therefrom.

Section 4. It shall be unlawful for any person, firm, or copration to own or operate any such refuse burner in the limits of the City of Albany, unless the same shall comply with the above requirements and a valid license to operate the same shall have been issued, to the owner or operator thereof, by the City of Albany.

Section 5. The Council may revoke the license for any refuse burner upon failure to comply with the above requirements and upon the revocation of such license the unearned portion of the license fee shall be forfeited and no new license shall be thereafter issued to the same person or for the same location, without the approval of the Council expressed by resolution, and no license under this article shall be transferable to another without the consent of the Council.

Section 6. The Recorder fo the City of Albany, upon the granting of any license to operated a refuse burner, shall collect for the benefit of the City of Albany, the following fee, to-wit: \$1.00 per year.

Section 7. Each day of operation of any such refuse burner within the limits of the City of Albany, in violation of this ordinance, shall constitute a separate offense.

Section 8. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon Conviction thereof, before the Recorder's Court of the City of Albany, shall be fined not less than \$50.00 not more than \$ 100.00, or imprisoned in the City jail for a period not to exceed 50 days, or both such fine and imprisonment in the judgment of the court.

Section 9. It is hereby declared that existing conditions are such that this ordinance is necessary for the public peace, health, and safety, and an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Council and Approved by the Mayor

Passed by the Council, March 13, 19 46
Approved by the Mayor, March 13, 1946

G. C. KNODELL, MAYOR

Attest: C. R. ASHTON, Recorder.

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon do hereby certify that the above copy of Ordinance No. 1675, has been by me carefully compared with the original Ordinance Bill No. 1796, as passed by the Council, March 13, 1946, and approved by the Mayor on the 13th day of March, 1946.

Witness my hand and official signature and seal of the City of Albany Oregon, on the 15th day of March, 1946.

C. R. Ashton