

ORDINANCE NO. 413  
Fixing Cement Sidewalk District

Repealed by Ordinance 435  
1898  
Ord 413  
Fixing  
Cement  
Sidewalk  
District

An ordinance relating to the construction of sidewalks and curbing within certain limits in the City of Albany, and repealing all ordinances and parts of ordinances in conflict therewith.

The people of the City of Albany do ordain as follows:-

Section 1.- That all sidewalks that may hereafter be constructed within the district described in section 2 of this ordinance shall be made of artificial stone or cement, and of the dimensions and in the manner hereinafter provided.

Section 2.- The provisions of this ordinance shall apply to the district bounded and described as follows: Beginning on the North line of First Street at the Southwest corner of Block No. 101 in Heskeman's Addition to the City of Albany, Oregon, and running thence Westward on the North line of First Street to the West line of Calapooia Street thence Southward on the West line of Calapooia Street to the North line of Fourth Street thence Westward along the North line of Fourth Street to the West line of Maple Street, thence Southward on the West line of Maple Street to the North line of Fifth Street, thence Westward on the North line of Fifth Street to the West line of Walnut Street, thence Southward on the West line of Walnut Street to the South line of Seventh Street, thence Eastward on the South line of Seventh Street to the West line of Calapooia Street, thence Southward on the West line of Calapooia Street to the South line of Ninth Street, thence Eastward on the South line of Ninth Street to the East line of Baker Street, thence Northward on the East line of Baker Street to the North line of Eighth Street, thence Eastward on the North line of Eighth Street to the West line of Railroad Street, thence Northward on the West line of Railroad Street to the North line of Second Street, thence Westward on the North line of Second Street to the East line of Montgomery Street, thence Northward on the East line of Montgomery Street to the place of beginning, all in the City of Albany, Oregon.

Section 3.- That all sidewalks that may hereafter be constructed on First Street from the East side of Calapooia Street to the West side of Montgomery Street, and on Second Street from the East side of Washington Street to the West side of Baker Street, within the district described in section 2 of this ordinance, shall be twelve feet wide.

Section 4.- That all sidewalks that may hereafter be constructed on Washington, Ferry, Broadwin, Ellsworth



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and Baker Streets, running from First to Second Streets, within the district described in section 2 of this ordinance, shall be ten feet wide.

Section 5.- That all sidewalks that may hereafter be constructed on Third and Fourth Streets, from the East side of Ferry Street to the West side of Lyon Street, and on Ferry, Broadalbin, Ellsworth and Lyon Streets, running from Second to Fourth Streets, within the district described in Section 2 of this ordinance, shall be eight feet wide.

Section 6.- That all sidewalks that may hereafter be constructed on Lyon Street from the South side of Fourth Street to the North side of Ninth Street, within the district described in Section 2 of this ordinance, shall be six feet wide, and the same shall be set out two feet from the property line of the lot along which said sidewalk is constructed.

Section 7.- That all sidewalks that may hereafter be constructed in the district described in Section 2 of this ordinance, except those mentioned in Sections 5, 4, 5 and 6 of this ordinance, shall be five feet wide, and the same shall be set out one foot from the property line along which said sidewalk is constructed, and in no case shall the outer edge of any such sidewalk be more than six feet from the property line along which said sidewalk is constructed.

Section 8.- Along the front of the sidewalks provided for in 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 all sidewalks provided for in this ordinance, if constructed out of cement and concrete, shall consist of eight parts of gravel and one part of cement for the base thereof, said concrete base to be not less than four inches thick, and to be laid upon a bed of gravel not less than three inches thick, and the top dressing shall not be less than three-fourths of an inch thick and composed of fifty per cent sand and fifty percent cement, and with a slope of one-fourth of an inch to the foot from the inside to the curb of said sidewalk; and at the street corners

amended by Ordinance 428



the same shall be rounded to conform to the quadrant of a circle with a thirty inch radius, and at the outside corners at the alleys to be rounded to conform to the quadrant of a circle with a twenty-four inch radius.

Section 9. - That all sidewalks that may hereafter be constructed as provided for in this ordinance shall be placed upon the street mass as the same is now established or may from time to time be established, and shall conform strictly to the official street grades, and shall be uniform as to the material, dimensions, and distance from the property lines along which they are built, with other sidewalks of their class, as provided by this ordinance, and the space between the property line and the said sidewalk, when such space is left, and the space between the sidewalk and the curb along the same shall be filled and surfaced with earth or other suitable material; and when said sidewalk and curb is completed, the same shall be inspected by the City Engineer or the Superintendent of Streets of the city and by him received or rejected.

Section 10. - Every person, firm or corporation, desiring to construct sidewalks or curbs or both as provided by this ordinance, shall, before entering upon said work or improvement, apply for a permit to so build or construct to 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 to be built, the location by lot and block numbers and by streets, the material to be used, and the dimensions to be followed in said work, and if, in the opinion of the said Superintendent of Streets, the intended improvement does not comply with the terms of this ordinance, then ~~it shall be the~~ duty of the said Superintendent of Streets to furnish said applicant, without charge or cost, a written permit to so build and improve in accordance with the location, material, distances and dimensions so applied for. In case of the refusal of the Superintendent of Streets to furnish said applicant with a permit, as herein provided for, the said applicant shall have the right to apply to the Common Council for relief, and



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The Council shall hear and decide the matter at issue and make an order ratifying the act of the Superintendent of Streets or enforcing the issuing of said permit, and cause the order so made to be entered upon the journal of the proceedings of said Council for the session at which said hearing and decision was had and made.

Section 11.- The provisions 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 so definitely as in the case of construction of a new sidewalk or curb or both.

Section 12.- 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 the City of Albany, be punished by fine of not less than \$10<sup>00</sup> nor more than \$100<sup>00</sup> or 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 13.- That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 14.- This ordinance shall be in full force and effect from and after its approval by the Mayor.

Approved February 14<sup>th</sup> 1906.

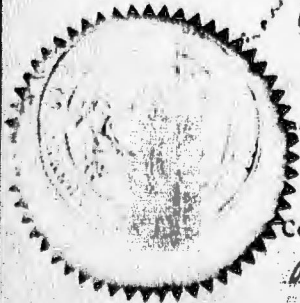
J.P. Wallace  
Mayor of the City of Albany

Attest:

W. Linn Thompson

Recorder of the City of Albany.

City Recorder's Certificate.



STATE OF OREGON.

COUNTY OF LINN.

W. Linn Thompson

Recorder of the City of Albany, in Linn

County, and State of Oregon, do hereby certify that the foregoing ~~and numbered copy of~~

Ordinance No. 413

has been by me carefully compared with the original Ordinance Bill No. 443

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. 443, <sup>and</sup> passed by the Council of the City of Albany, Oregon, February 13<sup>th</sup> 1906.

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

16<sup>th</sup> day of February 1906

W. Linn Thompson

Recorder of the City of Albany.