

**ORDINANCE NO. 80**

**AN ORDINANCE REGULATING THE CONSTRUCTION, MAINTENANCE, AND REMOVAL OF AWNINGS AND SIGNS IN THE CITY OF DRAIN, OREGON, AND REPEALING ALL ORDINANCE OR PARTS OF ORDINANCE IN CONFLICT HEREWITH**

**THE PEOPLE OF THE CITY OF DRAIN ORDAIN AS FOLLOWS:**

Section 1. No awning shall be maintained over any sidewalk within the corporate limits of the city of Drain, Oregon, except canvas awnings of the usual type, and such awnings shall be not less than eight feet above the surface of the sidewalk and shall be properly secured to the building upon which they are maintained and shall be supported by iron arms so as to permit them to be folded up against the buildings and the lowest portion of said arms or said supports shall be at least seven and one-half feet above the surface of the sidewalk and no such awning shall extend beyond the curb line of the sidewalk.

Section 2. No wooden or sheet iron or corrugated iron awnings or porches shall hereafter be constructed over any sidewalk within the City of Drain and no such awnings or porches shall be supported by posts. All wooden, sheet iron or corrugated iron awnings or porches now supported by posts and now maintained with posts over or upon any of the streets of the City of Drain or which are so maintained at the time of the taking effect of this ordinance shall be removed or the owner or owners of the premises upon which or in front of which such awnings or porches or posts are maintained within thirty days after the taking effect of this ordinance and if such owner or owners shall fail to remove any such awning, porch or post within the time prescribed by this ordinance, then the City Marshal by direction of the Common Council shall remove such awning, porch or posts and the costs of such removal may be recovered by the City in a civil action in the recorder's court of this city against such owner or owners, but such removal by the city marshal and the collection of the costs thereof by action or otherwise shall not exempt such property owner or owners from the penalty hereinafter provided.

Section 3. The provisions of Sections 1 and 2 of this ordinance shall not apply to any marquee maintained on any building in the City of Drain; provided however that such marquee shall be constructed of metal or metal and glass and shall be supported by chains or iron rods which shall be securely attached to the building not less than seven and one-half feet above the surface of the sidewalk and provided further that the maintenance of any such marquee not supported and constructed as aforesaid shall be deemed a violation of this ordinance and the owner or owners of the building upon which the same is maintained in violation of this ordinance shall be subject to the penalties provided in Section 5 of this ordinance and such marquee may be removed by the city marshal in the manner provided by Section 2 of this ordinance for the removal of wooden, sheet or corrugated iron awnings and porches and the costs thereof may be recovered from the property owner or owners as provided by Section 2 hereof.

Section 4. No advertising sign or other sign board of contrivance shall be maintained over any sidewalk in the City of Drain except such advertising sign or sign board of contrivance be placed not less than eight feet above the surface of the sidewalk and the same be properly secured to the building upon which it is maintained so that said sign and all arms or guy wires thereof shall have a clearance of not less than eight feet above said sidewalk. It is further hereby made unlawful for any persons, persons, firm or corporation



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and the costs of such removal may be recovered by the City in a civil action in the recorder's court of this city against such owner or owners, but such removal by the city marshal and the collection of the costs thereof by addition on other taxes shall not exempt such property owner or owners from the penalty hereinafter provided.

Section 3. The provisions of Sections 1 and 2 of this ordinance shall not apply to any marquee maintained on any building in the City of Drain; provided however that such marquee shall be constructed of metal or metal and glass and shall be supported by chains or iron rods which shall be securely attached to the building not less than seven and one-half feet above the surface of the sidewalk and provided further that the maintenance of any such marquee not supported and constructed as aforesaid shall be deemed a violation of this ordinance and the owner or owners of the building upon which the same is maintained in violation of this ordinance shall be subject to the penalties provided in Section 5 of this ordinance and such marquee may be removed by the city marshal in the manner provided by Section 2 of this ordinance for the removal of wooden, sheet or corrugated iron awnings and porches and the costs thereof may be recovered from the property owner or owners as provided by Section 2 hereof.

Section 4. No advertising sign or other sign board of contrivance shall be maintained over any sidewalk in the City of Drain except such advertising sign or sign board of contrivance be placed not less than eight feet above the surface of the

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THE PEOPLE OF THE CITY OF DRAIN ORDAIN AS FOLLOWS:

Section 1. No awning shall be maintained over any sidewalk within the corporate limits of the City of Drain, Oregon, except canvas awnings of the usual type, and such awnings shall be not less than eight feet above the surface of the sidewalk and shall be properly secured to the building upon which they are maintained and shall be supported by iron awnings so as to permit them to be folded up against the buildings and the lowest portion of said awns or said supports shall be at least seven and one-half feet above the surface of the sidewalk and no such awning shall extend beyond the curb line of the sidewalk.

Section 2. No wooden or sheet iron or corrugated iron awnings or porches shall hereafter be constructed over any sidewalk within the City of Drain and no such awnings or porches shall be supported by posts. All wooden, sheet iron or corrugated iron awnings or porches now supported by posts and now maintained with posts over or upon any of the streets of the City of Drain or which are so maintained at the time of the taking effect of this ordinance shall be removed by the owner or owners of the premises upon which or in front of which such awnings or porches or posts are maintained, within thirty days after the taking effect of this ordinance and if such owner or owners shall fail to remove any such awning, porch or post within the time prescribed by this ordinance, then the City Marshal by direction of the Common Council shall remove such awning, porch or posts.

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sidewalk and the same be properly secured to the building upon which it is maintained so that said sign and all arms or guy wires thereof shall have a clearance of not less than eight feet above said sidewalk and no such sign shall extend beyond the curb line of the sidewalk. It is hereby made unlawful for any person, persons, firm or corporation to maintain any sign or other contrivance over and above any public street or thoroughfare of the City of Drain beyond the curb line of the sidewalks thereof, without first applying to and securing from the Common Council of the City of Drain written authority so to do and all such signs or contrivances shall be placed not less than \_\_\_\_\_ feet above the surface of said street.

Section 5. Any person or persons, firm, company or corporation violating any of the provisions of this ordinance upon conviction thereof or upon pleading guilty before the City Recorder shall be punished by a fine of not more than Fifty Dollars or by imprisonment in the City Jail for not more than twenty-five days, or by both such fine and imprisonment, and each day's maintenance of any awning, porch, posts or marquee in violation of this ordinance shall be deemed a separate offense. If any person shall plead guilty or be convicted of violating this ordinance and shall thereupon remove any such awning, porch, posts or marquee maintained in violation of this ordinance at his or their own cost, then the City Recorder shall have the right to parole such person upon such terms as may be just.

Section 6. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

ORDINANCE NO. 100  
Passed by the Council October 14, 1929.

Approved by the Mayor October 14, 1929.

Attest:

\_\_\_\_\_  
City Recorder

STATE OF OREGON  
COUNTY OF DOUGLAS  
CITY OF DRAIN

I hereby certify that on the 14th day of October, 1929, I posted copies of the within ordinance in three public and conspicuous places in the City of Drain, to-wit: One on the west wall of the city hall, one on the telephone pole at the corner of 6 Street and First Street, and one on the telephone pole at the corner of 2 Street and First Street, all in the City of Drain, Douglas County, Oregon.

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City Recorder