

ORDINANCE NO. 91

AN ORDINANCE TO REGULATE THE CONSTRUCTION AND REPAIR OF PLANK AND CEMENT SIDEWALKS IN THE CITY OF DRAIN, OREGON, PROVIDING A MANNER FOR ASSESSING THE COST THEREOF AGAINST THE ABUTTING PROPERTY; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

THE PEOPLE OF THE CITY OF DRAIN ORDAIN AS FOLLOWS:

Section 1. That from and after the passage of this ordinance it shall be unlawful for any person to break up, dig up, excavate or fill in any street or construct any sidewalk or crosswalk or do any work in or upon the public streets within the City Limits of the City of Drain, Oregon, except as in this ordinance provided.

Section 2. Any person or persons wishing to grade, lay sidewalk or crosswalk or make any kind of improvement in or upon any street in front of or abutting upon his own or their property or property under his or their control, shall before commencing the same apply to the Marshal for a permit therefor, which said application shall specify the number of the lot and block in front of which the work is proposed to be performed; the name of the street; a particular description of the proposed improvement and the length of time needed for its completion.

Section 3. Permits shall be issued by the Marshal upon the approval of the application by the Common Council.

Section 4. The cost of the labor and materials of the permit required by Section 2 of this ordinance shall be done and the same shall be assessed by the City of Drain in a summary manner shall

ORDINANCE NO. 91

give a certificate thereof to the effect that the work and material are in conformity with the provisions of this ordinance; provided that in all cases of permanent street improvements the same shall be supervised and surveyed and tested by the City Surveyor who shall report thereon to the Common Council and said work shall be approved or rejected by the Council.

Section 5. All cement sidewalks or permanent sidewalks shall be constructed to the established lines and grades approved by the City Council and in all cases where said grades have not been established it shall be the duty of the owner of the abutting property before construction of said sidewalk to cause said sidewalk grade to be established by the City Surveyor at the expense of said property owner and to be filed in the office of the City Recorder.

Section 6. The center lines of streets shall be fixed when the same are improved by street monuments set in the center of street intersections and marked on the official plats of the street and sidewalk grades and said monuments fix the location of the center lines of the street and shall be used in locating all street improvements.

Section 7. That all the curb lines of all streets shall be parallel to and equidistant from the center line of the street.

Section 8. That all sidewalks hereafter constructed in the City of Drain shall be constructed along the property line of the street and shall be six feet in width; provided

ORDINANCE NO. 91

that plank sidewalks shall be five feet four inches in width.

Section 9. All sidewalk pavements shall have a fall towards the center of the street of one-fourth inch to one foot. The curb grade shall be parallel to and at a proper depth below the property line grade, allowing for the fall in the width of the sidewalk. The grade of the gutter shall be parallel to and six inches below the curb grade. The grade of the center of the street shall be the grade determined by the City Surveyor and approved by the Common Council prior to the improvement of said street; provided that every street shall have a crown in the center of the pavement of not less than three inches nor more than nine inches above a straight line between the two gutters.

Section 10. On all business streets the sidewalks shall be paved the full width from property line to curb line. On residence streets the paved portion of the sidewalk shall be six feet in width.

Section 11. Shade and ornamental trees shall be located halfway between the curb lines and the outer edge of the sidewalk pavement.

Section 12. All sidewalks on the Pacific Highway opposite Blocks number Four (4) shall be constructed of concrete and all other streets in the City of Drain the sidewalks may be constructed of either wood or concrete according to the plans and specifications approved by the City Council of the City of Drain and along the following lines:

ORDINANCE NO. 91

SPECIFICATIONS OF SIDEWALKS.

Section 13. All curbing and sidewalk pavements in the City of Drain shall be constructed to established lines and grades and in accordance with the following specifications:

(a) PLANK WALKS. Plank walks shall be constructed of a good grade of sound lumber, free from shakes and loose knots. The stringers shall be not less than two inches by six inches and not less than sixteen feet long. The joints in the stringers shall be spliced with a two by four or two by six, four feet long, securely spiked to the side of the stringers. There shall be not less than three stringers, one in the center and not more than six nor less than four inches from each edge. On wider walks the stringers shall not be more than thirty inches apart, center to center. The planks shall be two inches in thickness and six to eight inches in width, sized and securely nailed to each stringer with two sixteen or twenty penny nails.

(b) CEMENT WALKS. Cement walks shall be constructed of Portland cement, sand and broken stone or gravel. The cement used shall be of the best high grade Portland cement. It shall be sound and of such firmness that ninety-five per cent passes through a number 100 sieve. Briquettes of neat cement, when seven days old, shall have a tensile strength of 450 pounds per square inch. Briquettes made of one part cement and three parts sand, when seven days old, shall have a tensile strength of 120 pounds per square inch. The sand used for all

ORDINANCE NO. 91

concrete and cement mortar shall be clean, coarse and sharp. The broken stone used for the concrete shall be clean, hard stone, free from earth, wood and dust, and the fragments shall vary in size from 1/8 to 1 1/2 inches in the greatest dimensions. If gravel is used for the concrete it shall be clean; hard gravel of the same size as specified for broken stone, and it shall be free from broken earth, wood and dust. All concrete shall be made of Portland cement, sand and broken stone or gravel, mixed and placed as follows: One part of cement, two parts sand and four parts broken stone or gravel, thoroughly mixed with water until the parts are evenly distributed; the mixture shall be of such consistency that it can be and it shall be thoroughly tamped in place. It shall be put in place and thoroughly tamped within thirty minutes after the cement is wet. All points in concrete masonry where the concrete has set before the new material is added shall be grouted with neat cement mortar.

Before the walk is laid the surface of the ground shall be brought to a uniform subgrade four inches below the finished surface of the walk. When filling is necessary it shall be put in four inch layers and thoroughly tamped until the foundation is solid. A substantial form shall be put in at each edge of the walk. These shall be set true to the line and grade and securely fastened so that they will not be moved in tamping the concrete. The walk shall be composed of a three and one-half inch concrete base and a wearing surface of one-half inch thick, and the finished pavement shall be

ORDINANCE NO. 91

the full thickness of four inches. Just before the concrete is put in, the ground shall be leveled off and sprinkled.

The wearing surface of the walk shall be one-half inch thick and made of one part Portland cement and two parts coarse sharp sand. The sand and cement shall be mixed dry and then wet and mixed into stiff mortar. The mortar shall be used within thirty minutes after the cement is wet. The wearing surface shall be put on before the concrete base has set, and it shall be thoroughly troweled. After the surface is troweled it shall be laid off in squares, with a marking tool, the joints extending to a depth of not less than one-fourth inch, and the edges of the walk rounded off with an edger. The surface of the walk shall be corrugated or finished rough so that it will not be slippery. The walk shall be protected with a covering of sand or other material about one inch thick, and it shall be kept wet for not less than six days after it is put in.

Section 17. Concrete curbing shall be constructed true to line and grade and shall be of the form and dimensions shown on the plan and constructed in accordance with the specifications therefor on file in the office of the City Recorder.

Section 18. It is hereby made the duty of all property owners to keep all sidewalks in good repair and should the owner of any property fail to maintain a good and sufficient sidewalk in the street abutting said property the Common Council may in its discretion order said sidewalk to be constructed or repaired as the case may be and order that the cost thereof

ORDINANCE NO. 91

be assessed against said abutting property as provided by the Charter of the City of Drain.

Section 19. The owner of the abutting property shall be given a notice in writing by the Marshal that his or her sidewalk has been ordered constructed, reconstructed or repaired as the case may be which notice shall contain a description of the property along which said sidewalk is to be constructed, reconstructed or repaired, the name of the street in which the sidewalk is to be constructed, reconstructed or repaired and shall contain a statement that said sidewalk has been ordered constructed, reconstructed or repaired as the case may be by the Common Council and that unless the owner of said property construct, reconstruct or repair said sidewalk as the case may be within thirty days from the date of the service of said notice upon him that said sidewalk will be constructed by the City of Drain and the cost thereof assessed against said property, and said notice shall further state that any objections or remonstrances to the construction, reconstruction or repair of said sidewalk shall be filed in writing with the City Recorder within ten days from the date of the service of said notice upon said property owner. Said notice shall be addressed to the property owner, if known, and be signed by the City Marshal.

Section 20. That all ordinances or parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

Passed by the Council October 14, 1929.
Approved by the Mayor October 14, 1929.
Geo. W. McCollum City Recorder
Clarence Leonard Mayor