

ORDINANCE NO. 191(1923-4)

AN ORDINANCE TO PROVIDE FOR THE CONSTRUCTION AND REPAIR OF SIDEWALKS IN THE CITY OF CANBY, AND PROVIDING A PENALTY FOR NEGLECTING SO TO DO.

Canby does ordain as follows:

Section 1. It is hereby made the duty of all owners of land within any platted area of the city of Canby and abutting all improved streets or roads, whether such abutting property is platted or not, to construct, reconstruct, and maintain in good repair, sidewalks in front of such land; and all sidewalks to be constructed hereafter in front of the said lands by any of the said property owners shall be made of such materials as has heretofore been provided by the ordinances of the city of Canby or as may be directed hereafter by resolution of the city for the construction of sidewalks on such particular streets or roads.

Section 2. For the purpose of determining what streets or roads are improved in the city of Canby where the same do not run through platted property, the resolution of the council declaring that such street or road is improved and ordering such sidewalks constructed in conformity with this ordinance will be sufficient.

Section 3. If the owner of any lot or parcel of land abutting upon such streets or roads shall suffer any sidewalk along the same to become out of repair, it shall be the duty of the city surveyor or street superintendent of the city of Canby to post a notice on the adjacent property headed, "Notice to repair sidewalk" in letters not less than 1 inch in length; and such notice shall be in legible characters and shall direct the owner, agent, or occupant of such property immediately to repair the same in a good and substantial manner; and the city surveyor or street superintendent shall file with the recorder an affidavit of the posting of such notice stating the date when and the place where the same was posted.

Section 4. The recorder shall, upon receiving the affidavits or affidavit of the city surveyor or street superintendent, send by mail a notice to repair sidewalks to the owners, if known, or (of) such property, or in lieu thereof to the agent, if known, of the owner, and directed to the post-office address of such owner or agent where such post-office address is known to the recorder; and if such post-office address be unknown to the recorder, such notice shall be directed to such owner or agent at Canby, Oregon. Where such owner or agent is unknown it shall be sufficient to mail such notice to the person to whom such lands are assessed on the then current tax roll of Clackamas county. A mistake in the name of the owner or agent or a name other than that of the true owner or agent of such property shall not render void such notice, and in each of such cases the posted notice upon such property shall be sufficient.

Section 5. Any person, firm, or corporation who fails and neglects to repair or construct any sidewalk when so directed to do by resolution of the council and after such notice has been given as hereinbefore provided shall be guilty of misdemeanor and shall be fined in an amount not to exceed \$10 per day for each and every day such omission continues.

Passed by the common council November 5, 1923.

REPEALED BY
ORDINANCE No. 437
DATED April 17, 1961

