

ORDINANCE BILL NO. 125

ORDINANCE NO. 127  
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An Ordinance providing for and describing fire limits; regulating, the building, repairing, alteration and removal of buildings within the said fire limits, and providing the kind of buildings to be erected within the same, providing the manner and method of determining the value of buildings to be repaired within such fire limits, and providing for the punishment of any violation of this ordinance, and to repeal ordinance No. 94.

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THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:-

Section 1<sup>2</sup> All that portion of the City of Lebanon, Linn County Oregon, in this section described and bounded is hereby set apart and designated as the fire limits of the said City, to-wit:-

Beginning at the Northwest corner of Lot One in Block Four in the City of Lebanon, thence South to the South line of Sherman Street, thence West to Northwest corner of Lot Five in Block Three in the City of Lebanon, thence South 80 feet, thence East to the West line of Lot Two in said Block Three, thence South to the North line of Maple Street, thence East to a point 165 feet east of the East line of Main street, thence North to the South line of Ash street, thence West to the place of beginning.

Section 2- All buildings hereafter erected within the said fire limits shall have their outside walls, party walls and partition walls made of brick, stone, concrete or other noncombustible material; and the outside walls and party walls shall extend from the foundation to the top of and through the roof of such buildings; and the roof shall be of or covered with tin, iron, tile, or some other noncombustible material; and the walls shall be completely separated from all adjoining buildings not made of noncombustible material. The term building as used in this ordinance shall be held to mean all structures covered with a roof of any kind.

Section 3- That no blast furnaces shall be erected or operated within the fire limits as specified in this ordinance.



Section 4- The term party wall shall be held to mean all walls running through the entire length of the building, and separating two distinct buildings, but shall not mean a partition wall in a single building although cut up into several compartments of stores, although owned by two or more persons.

Section 5- All repairs of or to buildings constructed of brick, stone or concrete or other noncombustible material within the said fire limits shall be made to conform to this ordinance.

Section 6- No wooden or frame building within the fire limits shall be altered or changed without the written permission of the chief engineer of the Lebanon Fire Department, approved by the committee on street and public property of the City Council, or by order of the council duly made and entered of record authorizing and directing the recorder to issue such permit.

Section 7- No permit shall in any event shall be issued until the applicant shall file with the recorder a written application therefor specifying fully the repairs or alteration to be made, together with plans or descriptions thereof and the estimated cost of such repairs or alterations, which said application shall be kept on file by the recorder.

Section 8- No permit shall be issued, granted or allowed which will increase the size of any wooden building within the fire limits, or if the repairs, changes or alterations will increase the value of such building more than fifty per cent based upon the estimates and value as herein to be determined.

Section 9- In determining the value of any wooden building to be altered, repaired or changed, the value as given by the owner, his agent or other person in the assessment of the said property for the year 1912, shall be conclusive upon him, and no repairs shall be allowed beyond the value of one half the value given for the said property for the said years as the same appears upon the said roll for said year



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except to a politician on the same lot  
as which it just stood, for the purpose  
of making room for a more permanent  
improvement.



Section 10- If the council in its judgment believes the value as given in the said roll excessive and more than the real value of the said building, the permit for such repairs shall not exceed the one half of the value of the said property as found and determined by the said council.

Section 11- Only permits to the value of the one half the value of any building shall be allowed for repairs or alteration as herein provided and determined for ascertaining the value thereof, ~~shall be allowed~~. This may be done in one permit at one time or successive permits may be issued for repairs less than one half the value of such building as herein provided until alterations and repairs to the aggregate value of one half the value of such building are done, as the same appears on the said assessment roll for the said year 1912.

Section 12- The assessment roll for 1912 shall be the bases for ascertaining the said value for a period of five year from the 1st day of January, 1913, as against <sup>any</sup> the owner of such property, thereafter the value shall be determined in such manner as the council may provide and deem proper.

Section 13- No <sup>wooden</sup> building within the fire limits shall be moved to another location within the fire limits, <sup>\*</sup> but any wooden building in the fire limits may be moved to some point outside the fire limits.

Whenever any building within the fire limits shall be by any means so much injured, decayed, rotten, or become from any manner in such a condition as to be in the judgment of the Chief Engineer of the Fire Department and the committee on streets and Public Property in a dangerous condition, or a dangerous nuisance, or dangerous to the public health of safety; or where any wooden building with the fire limits shall in the judgment of said Chief engineer, and said Committee of Streets, and Public Property, be damaged by fire to such an extent of one half the actual value thereof, as ascertained and determined by the Council, and the said committee and chief Engineer, the chief engineer shall immediate-



ly cause to be served upon the owner, occupant or person having control thereof, a notice in writing, requiring such person or persons to remove the same forthwith; and the person or persons receiving such notice shall within ten days after receiving the same comply with the requirements thereof.

Section 14- Any person or persons after having received the notice to remove any building as provided in the previous section of this ordinance shall neglect, fail or refuse to comply therewith as therein provided within ten days, the chief engineer shall cause the same to be torn down and removed, and she shall within ten days after completing the same, file with the council a statement of the costs for so doing, and if the judgment of the council the same are correct and just the same shall be allowed, and paid by the city, and the recorder shall ~~notify~~ notify the owner of the said lot of the amount and demand payment of the same, and if they <sup>same</sup> is not paid within ten days after the giving such notice, the recorder shall enter the same upon the lien docket of the city of Lebanon, and thereafter the same shall be made a lien upon and against the lot or premises upon which the said building stood and shall bear interest from the date of the docketing of the same at the rate of ~~eight~~ <sup>six</sup> per annum; And the <sup>w</sup>arrant of the recorder shall issue for the collection of the same and the premises sold as upon execution; and certificate and deed issue therefor as incases of other sales in the city of Lebanon as provided by the charter and ordinances of said City.

Section 15- No person, firm or corporation or company shall keep for sale storage or otherwise within the said fire limits heretofore described more than two hundred gallons or kerosene oil, gasoline or other combustible or inflamable oils or liquids at one time, or more than ~~100~~ hundred pounds of gaint powder or blasting powder, dynamite or other explosives, and these shall all be kept in proper non combustible tanks cans or recepticles, and all oil tanks or cans shall be kept absolutely



free from leaks. All rooms where such oils and explosives are kept shall be provided with proper ventilation.

Section 16- It shall be the duty of each fireman to immediately inform the chief engineer of any violation of any part of this ordinance, and it shall be the duty of the marshal and all policemen and the chief engineer to see that the requirements and provisions of this ordinance are enforced and to make complaint in the Recorder's Court of all violations thereof.

Section 17-

All violations of this ordinance shall be deemed a misdemeanor, and all persons convicted of the violation thereof before the recorder's court shall be punished by a fine of <sup>not</sup> less than ten dollars nor more than One Hundred dollars, or by imprisonment in the city jail not less than five days nor more than fifty days.

Section 18- That Ordinance No. 94 passed by the Council on the 7th day of December, 1909 and approved by the mayor on the 8th day of December 1909 be and the same is hereby repealed, and all ordinances in conflict herewith are hereby repealed.

Section 19- That in as much as the City of Lebanon is in dire need of a more effective ordinance regulating the repairing of wooden buildings in the fire limits, the health, safety and peace of the City requires that this ordinance be in full force and effect at once, and 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 approval by the mayor,

Section 20- Passed by the council this 4<sup>th</sup> day of February, 1913, the same having received the affirmative vote of more than three fourth of member elected to the council taken by aye and nae vote on the roll call.

Approved by the mayor this 4<sup>th</sup> day of February, 1913.

V. S. Kummerow  
Mayor of the City of Lebanon

Attest

J. M. Bursten  
Recorder of the City of Lebanon.