

ORDINANCE BILL No. 16 for 1915.

ORDINANCE NO. 196

An Ordinance fixing the fire limits in the City of Lebanon, Oregon, and regulating the building, repairing, alteration and moving of buildings, walls and structures within such limits, and the storing of oils and explosives, and repealing Ordinance No. 127 and all ordinances and parts of ordinances in conflict herewith.

- - - - -

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

Section 1. That all that portion of the City of Lebanon, Oregon, in this section described and bounded is hereby set apart and designated as being within the fire limits of said City, to-wit: Beginning at the Northwest corner of Lot One (1) in Block Four (4) of the said City of Lebanon, Original Plat, and running thence South to the South line of Sherman Street; thence West to the Northwest corner of Lot Five (5) in Block Three (3) of said City, Original Plat; thence South eighty (80) feet; thence East to the West line of Lot Two (2) in said Block Three (3); thence South to the North line of Maple Street; thence East to a point one hundred sixty-five (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, except as provided in Section Three (3) of this ordinance, shall have their outside walls, party walls and partition walls made of brick, stone, concrete or other non-combustible material. But a wall consisting of corrugated iron or other similar non-combustible material fastened

to wooden studding shall not be regarded as being constructed of non-combustible material, and a building so constructed shall be regarded as a wooden building, except as herein otherwise specified. The outside walls and party walls of any building shall extend from the foundation to a point above the roof of such building, and shall be completely separated from all adjoining buildings not made of non-combustible material. The roof shall be made of, or covered

with, tin, iron, tile or other non-combustible material. ~~and, in the case of a gabled roof, shall be provided with a temporary structure of any kind to protect the eaves of the building.~~
Section 3. Permits may, however, be issued for the

following frame structures, to-wit:

- (a). Temporary one-story buildings for use of builders;
- (b). One-story sheds not over fifteen (15) feet high, open on the long side, with sides covered with non-combustible material, and with a ground area not exceeding five hundred (500) square feet; but a wooden fence shall not be used to form the back or side of such shed;
- (c). Wooden fences not over ten (10) feet high;
- (d). Small out-houses, not exceeding one hundred fifty (150) square feet in ground area, and not over eight (8) feet high.

But no such shed or outhouse shall be located less than thirty (30) feet from any other building over one story high.

Section 4. The term "building", as used in this ordinance, shall be held to mean any structure covered with a roof of any kind. The term "party wall" shall be held to mean any wall running through the entire length of a building, and separating two distinct buildings, but shall not mean a partition wall in a single building whereby the same is cut up into two or more compartments or stores, although owned by two or more

And every building structure created within the fire limits shall be provided with an opening in the ceiling of the upper story there, so as to afford access to the roof from the inside of the building.

persons.

Section 5. No wall, structure, building or part thereof shall hereafter be built, enlarged, altered, changed or repaired, within said fire limits, until an application for a permit therefor, which application shall include a plan or description of the proposed work together with a statement of the materials to be used, shall have been filed with the City Recorder, and a permit duly issued therefor; and, in case of proposed changes, alterations or repairs of or to a wooden building within said fire limits, the application for permit shall also include a statement of the estimated cost thereof. All applications for permits shall be kept on file by the Recorder, and all permits shall be issued by him. No permit shall be issued, however, until the application therefor shall have been approved in writing by a majority of the members of the Committee on Streets and Public Property, or by vote of the Common Council. Provided, however, that for making changes, repairs and alterations of a minor character, where the cost thereof shall not exceed twenty-five dollars (\$25.00), no permit shall be required.

Section 6. Any and all walls, structures, buildings and parts thereof, and alterations, changes and repairs in and to any structure or building within said fire limits, which shall hereafter be constructed, made or done, either without a valid permit therefor, or not in conformity to the terms of the permit therefor, or in violation of any of the terms or requirements of this ordinance, shall be liable ~~to~~ liable to removal as in this ordinance provided.

Section 7. It shall be unlawful to increase the size of any wooden building, or of any building the walls of which are not made of non-combustible material, within

said fire limits.

Section 8. It shall be unlawful to make any alterations, changes or repairs in or to any wooden building within the said fire limits, the cost of which alterations, changes and repairs, when added to the cost of all other alterations, changes and repairs made on or to such building since the 4th day of February, 1913, shall exceed the amount of one-half of the assessed valuation of such building on the Linn County, Oregon, assessment roll for the year 1912. Cost of alterations, changes and repairs, within the meaning of this section, shall be held to include all labor and materials, excepting paint and decorative wall-paper and excepting the labor of putting on such paint and wall-paper. In estimating the amount of permissible repairs, said assessment roll for the year 1912 shall be used for three years from the date when this ordinance becomes effective; and thereafter, the amount of the same shall be determined in such manner as the Common Council may provide.

Section 9. If the Common Council shall in any case determine that any wooden building within said fire limits was undervalued, or overvalued, or no value placed thereon, in said assessment roll for the year 1912, it may fix and determine the value thereof in such manner and amount as it may deem proper, and the valuation so fixed by the Council shall stand in the place of said assessed valuation for the purposes of this ordinance.

Section 10. No wooden building within the said fire limits shall be moved to another location therein, except to a position on the same lot, and, in the latter case, it may be so moved only for the purpose of making room for a more permanent improvement. No wooden building shall be moved from a place without, to a place within, said fire limits; but any wooden building within, may be moved to a place without, said fire limits.

Section 11. Whenever any wall, structure, building or part thereof within said fire limits shall have been erected, altered, changed, repaired or moved in violation of any of the terms or provisions of this ordinance, or not in conformity to the terms of any permit that may have been issued therefor, or whenever any wall, structure or building within said fire limits shall be so much injured, decayed, rotten, or from any cause in such condition as to be, in the judgment of the Common Council a nuisance, or dangerous to the public health or safety, or whenever any wall, structure or building within said fire limits shall have been damaged by fire to the extent of one-half the value thereof as the same shall be ascertained by the Council, the Chief Engineer of the Fire Department, or the City Marshal, shall 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 said wall, structure or building or such unlawful changes, alterations or repairs, forthwith. And, in case such person or persons shall fail, neglect or refuse to comply with the terms of such notice within ten (10) days from the date of service thereof, said Chief Engineer, or said City Marshal, shall proceed to cause such removal to be made, and shall, on completion of such work, file with the City Recorder a statement of the cost thereof. The Council shall thereafter, if it find such cost to be reasonable, allow the bill therefor and order the same paid, as other bills against the City, and the amount thereof shall be entered up by the City Recorder in the Docket of City Liens as a lien against the premises from which the removal was made. The Recorder shall at once notify the owner of the property, if such owner can be found or his address is known, of the amount of such expense and the entry of such lien, and

such lien shall be enforced in the same manner as provided in the City Charter for the enforcement of other city liens.

Section 12. No blast furnace shall be erected or operated within said fire limits.

Section 13. It shall be unlawful for any person, firm or corporation to keep for sale, storage or otherwise, within the said fire limits, more than two hundred (200) gallons of gasoline, kerosene oil or other combustible or inflammable oils or liquids at any one time, or more than two hundred (200) pounds of giant powder, blasting powder, dynamite or other explosives; and all such combustible or inflammable liquids and explosives shall at all times be kept in proper non-combustible tanks, cans or receptacles, and in rooms provided with proper ventilation, and all oil- or gasoline tanks or cans shall be kept absolutely free from leaks.

Section 14. It shall be the duty of each fireman to immediately inform the Chief Engineer of the Fire Department, or the City Marshal, of any violation of any part of this ordinance; and it shall be the duty of the said Chief ~~W~~ Engineer and Marshal, and of all policemen, to see that this ordinance is enforced, and to make complaint in the Recorder's Court of any violation thereof.

Section 15. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00), or by imprisonment not less than one day nor more than fifty days. But such punishment shall not excuse any defendant from removing any wall, building, structure, alteration, repair or improvement unlawfully made or erected, but the same shall be removed as hereinbefore provided.

Section 16 Ordinance No. 127, passed by the Council
on the 4th day of February, 1913, and approved by the Mayor
of the same day, and all ordinances and parts of ordinances
in conflict herewith, are hereby repealed.

Passed by the Council, by unanimous vote, this
29th day of June, 1915.

J. Cornier

Attest:

Mayor.

M. A. Elkins

Recorder.