

Ordinance Bill No. 2 for 1925.

Ordinance No. 322

A BILL FOR

An ordinance declaring the building situated on the following tract of land, to-wit:

Commencing at the N.E. corner of Lot 8 in Burtenshaw's Second Addition to Lebanon, Linn County, Oregon, running thence East to the bank of the Santiam Canal; running thence Southeasterly along the bank of said canal to a point due North of the N.E. corner of Lot 12, Block 2, Kirkpatrick's Second Addition to Lebanon, Linn County Oregon; thence running South to a point 402 feet North of the N. E. corner of said Lot 12, Block 2, of Kirkpatrick's Second Addition; thence West 360 feet to the East line of Burtenshaw's Second Addition to Lebanon, Linn County, Oregon; thence North to the place of beginning,

a dangerous nuisance and providing for the tearing down and removal of the same, providing for the manner of assessing the costs and expenses of so doing and providing for the giving of notice to the owner thereof.

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

Section 1 WHEREAS, the Chief Engineer of the City of Lebanon Fire Department and the Committee of the Common Council on streets and public property have made and filed with the Council of said city a report, in writing, wherein they report and declare that the old house, situated on the following described tract of land, to-wit:

Commencing at the N.E. corner of Lot 8 in Burtenshaw's Second Addition to Lebanon, Linn County, Oregon, running thence East to the Bank of the Santiam Canal; running thence Southeasterly along the bank of said canal to a point due North of the N. E. corner of Lot 12, Block 2, Kirkpatrick's Second Addition to Lebanon, Linn County, Oregon; thence running South to a point 402 feet North of the N.E. corner of said Lot 12, Block 2, Kirkpatrick's Second Addition; thence West 360 feet to the East line of Burtenshaw's Second Addition to Lebanon, Linn County, Oregon; thence North to the place of beginning,

is so badly decayed and rotten and so damaged by age and exposure that the same, in their judgment, is a dangerous nuisance. And, whereas, the said Engineer and Committee have made report in writing that, in their judgment, said house is so badly decayed, damaged by age and exposure as to be impossible of repair.

Section 2. IT IS THEREFORE ascertained, considered and determined by the Council of the City of Lebanon, Oregon, that said house, so situated as above described, is a dangerous nuisance and is unoccupied and is in such a decayed, dilapidated and rotten condition as to be impossible of repair and that the peace, health and safety of the said city of Lebanon is therefore endangered and the lives and property of the citizens of said city are seriously endangered by the rotten, filthy and dilapidated condition of said building.

Section 3. The Common Council of the said City does further ascertain and determine that the peace, health and safety of the said City, and the lives and property of its citizens require that the said building on the said land be torn down and removed immediately and that the same be closed at once. And, the Common Council does further ascertain and determine that the author of said nuisance and the person responsible therefor, is the present owner of said building and tract of land.

Section 4. That the Chief Engineer of the Fire Department of the said City and the Marshal of the said City cause to be served on the owner of the said building and the occupants thereof or person in control of same, notice in writing, requiring such persons to cease to use the said building, and to remove the same and tear same down forthwith. That said notice shall be served upon the owner of said property and the occupants thereof or persons in control of the same by mailing a copy thereof to the last known Post Office address of such owner, occupant or person in control of said property, and if such Post Office address is not known, to the Chief Engineer or City Marshal, or either of them, then a copy of such notice addressed to

the owner of said property and the occupant thereof or the person in control of the same, at Lebanon, Oregon, shall be sufficient notice.

Section 5. That if the said owner or occupant or person in control of same shall fail or refuse to so tear the same down and remove the same within thrity days from the date of the mailing of the said notice upon them, then the said Chief Engineer and Marshal shall cause the same to be removed and torn down without further delay, and the said officers, in the event they tear same down, shall file with the recorder a statement of the costs for so doing, which is the council deems just shall be entered in and upon the docket of city liens and made a charge and lien upon and against the said lot and if the same is not paid within ten days after demand therefor, the same shall be collected as other liens, in favor of the said city for street or other improvements, are collected. If the Council deems the costs too high, they shall allow such sum as is just, which said sum shall be so entered and made a lien against the said property as herein provided.

Section 6. That in as much as the said building is in a dangerous condition, and the peace, safety and health of the said city requires that this ordinance shall be in full force and effect from and after its approval by the mayor, an emergence is hereby declared to exist, and this ordinance shall be in full force and effect from its passage by the council and approval by the mayor.

Passed by the Council this 3rd day of March, 1925, the same having received the affirmative vote of more than three-fourths of all members elected to the council taken by aye and nay vote at roll call.

Approved by the Mayor this 3rd day of March, 1925.

Attest:

C. H. Wetman
Recorder of the City of Lebanon.

Frank Stutz
Mayor.