

A BILL FOR AN ORDINANCE RELATING TO)
STREET AND SIDEWALK EXCAVATIONS)
AND DECLARING AN EMERGENCY:)

ORDINANCE BILL NO. 2
for 1968

ORDINANCE NO. 1294

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

Section 1. Definitions. Unless the context requires otherwise, the following mean:

- (1) Excavate. Cut, dig, or break into an improvement.
- (2) Improvement. A sidewalk, parking strip, curbing, or street.
- (3) Person. A natural person, firm, or corporation.


Section 2. Applications and Deposits for Excavations. No person shall excavate without first making written application to the public works superintendent and depositing with the recorder cash or a bond to guarantee, within sixty days after the excavation, the repair of the improvement in a proper manner as approved by the public works superintendent. The amount of the cash deposit shall be \$ 35.00 for each excavation at a right angle to a street; and \$ 35.00 for the first 100 feet and \$ 35.00 for each additional 100 feet, or portion thereof, for each excavation running parallel to a street. In lieu of a cash deposit, a person may file annually with the recorder a \$ 150.00 bond approved by the street and sewer committee.

Section 3. Return of Deposit. If an excavation is properly filled in and an improvement is properly repaired within sixty days after the excavation, the public works superintendent shall give his written approval which shall entitle the depositor to the return of his cash deposit. If, however, the excavation is not properly filled in and the improvement is not properly repaired within sixty days after the excavation, the city is authorized to fill in the excavation and repair the improvement, deduct the cost from the deposit, and return the balance of the deposit, if any, to the depositor.

Section 4. Penalty. Violation of this ordinance shall constitute a misdemeanor.

Section 5. Emergency Clause. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the council and approved by the mayor this 2nd day of January, 1968.



Mayor

ATTEST:



Recorder