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An Ordinance to provide for and regulate the establishment and alteration of the grade of streets and alleys or any part thereof, and providing for the grading of streets or alleys or any part thereof, and for the construction and improvement and repairing of sidewalks, pavements, streets, alleys, sewers, drains bridges and aqueducts within the limits of the City of Lebanon, when in the judgment of the City Council of said City, such work is necessary, and to provide for the assessment and collection of the costs and expenses thereof, and providing for the recording and enforcement of liens upon the property adjacent to such improvements and repairs.

The People of the City of Lebanon do ordain as follows.

Sec 1

It shall be the duty of the Street-Commissioner to superintend the grading, graveling, improving and repairing of all Streets and Alleys, and to see that the same is graded, gravelled, repaired and improved in accordance with the ordinances and orders of the Council providing therefor, and to superintend the construction of all sidewalks, crosswalks, bridges, culverts and all aqueducts, drains and sewers and all repairs thereof ordered by the Council, and to see that they are constructed and repaired in strict accordance with the orders of the Council and the ordinances of the City governing the construction and repair of such sidewalks, crosswalks, culverts, bridges, aqueducts, drains Streets, alleys and sewers.

Sec 2

When in the judgment of the Council it becomes necessary to establish or alter the grade of any street or part thereof, or of any alley or part thereof, or to grade any street or alley or part thereof, or to construct or improve any sidewalk

or pavement or part thereof, or to improve or repair any street or alley or any part thereof, or to construct or repair any drain or sewer within the streets or alleys of said City at the cost and expense of the adjacent property owners, the Council shall by an order or resolution duly made and entered on its journal, specify as follows:

1st = With convenient certainty, the street or part thereof proposed to be improved, or of which the grade is proposed to be established or altered or the sidewalk, pavement, street or alley or part thereof proposed to be improved, constructed or repaired, and the kind of improvement, construction or repair which is proposed to be made x

2nd = A time when the Council will hear and determine all objections or remonstrances which may be made by any adjacent property holder, or taxpayer thereto x The period intervening between the date of the making of such order and the time specified therein for such hearing shall be of sufficient length to allow not less than ^{seven} ~~ten~~ full days notice to be given thereof x By the same order the Council shall direct the Recorder to give notice of the time specified therein for such hearing. At least ^{seven} ~~ten~~ days notice of the time of such hearing shall be given by the Recorder and such notice shall be given in the manner, and contain all the matters and things required by ^{Sections 58} ~~Sections 58~~ ^{and 59} of the Charter of the City as enacted by the ^{last} ~~last~~ legislature of the State of Oregon incorporating said City x When the time specified for such hearing arrives and it appears to the satisfaction of the Council that due notice has been given as herein required or provided, the Council shall then proceed with such hearing, strictly in accordance with the provisions of Section 60 of chapter VIII of said act and determine whether or not such proposed improvement or alteration or establishment of grade or improvement, alteration or repair specified

in such notice shall be made or not x

Sec 3 After the hearing mentioned in section two (2) of this ordinance shall be finished, if the Council shall determine by resolution that the proposed improvement or alteration or establishment of grade or sidewalk or repair specified in such notice be made, it shall then provide by resolution or ordinance for the time and manner of doing the work thus ordered and for letting the contract therefor x

Sec 4 In case the Council shall undertake to establish or alter the grade of any street or alley or part thereof, or to grade any street or alley or part thereof, or to construct or improve any sidewalk, pavement, drain or sewer in any street or alley of said City at the cost and expense of the adjacent property holders or owners, all such work shall be carried on and completed under the supervision of the Street-Commissioner, whose duty it shall be, under the directions of the Committee on Streets and Public property to see that all resolutions and ordinances in regard to the same are fully carried out x And it shall be the duty of said Street-Commissioner to cause such work to be done without delay, and if the same be done by him he shall present the bill therefor to the Council; said bill shall specify particularly the lot or lots or premises adjacent to which the work was done, the name or names of the owner or owners thereof, and the actual cost and expenses of the work done on the portion of the street, alley, grade, sidewalk, pavement, sewer or drain adjacent to such lot or part thereof or premises and the date when such work was done x

Sec 5 When the work shall have been completed, whether by the Street-Commissioner or by a contractor or contractors, the Council shall audit in a summary way the actual costs of the improvement or work. When the actual total cost of the improvement or work has been ascertained by the Council, it shall proceed at once in strict accordance with the provisions of Section 62 and 63 of Chapter VIII of the City charter to assess by resolution each lot or parcel of ground with its proportion of such costs, and every provision contained in said sections 62 and 63 in regard to such assessment shall be strictly pursued.

Sec 6 As soon as the Council shall have ascertained and determined what property shall be liable for the costs and expenses of such improvement or work or repairs, the proportion thereof to be paid by the owner of each lot or parcel of ground, and shall have assessed upon each parcel of ground its proportionate part of such costs, by resolution as required by Sections 62 and 63 of the Charter; the Recorder shall immediately and without delay enter a statement in the Book of City line of such assessment in strict conformity with the provisions of Sections 64 and 65 of the Charter of said City, and from the date of such assessment upon any tract of land, the sum so assessed and entered shall be a tax levied and a lien thereon, whether assessed to the true owner or not, to the extent and effect mentioned in Section 66 of said City charter. And said Book of line shall at all times be kept by the Recorder in a safe and secure place so as to be safe from destruction by fire or otherwise.

Sec 7 If the Council should at any time authorize the owner or owners of any property abutting on

any street, the grade of which is already established, to cut down or fill up any street in front of such property according to the established grade thereof at the expense and cost of such owner or owners, such work shall be done under the supervision of the Street-Commissioner and the Committee on Streets and Public property and said Commissioner shall see that such work is done in accordance with the order and direction of the Council in regard Thereto x

Sec 8 When in the judgment of the Street-Commissioner and the Committee on Streets and Public property, any street, alley, sidewalk, sewer or any part thereof shall be so out of repair as to endanger the the life or limb of man or beast, the Commissioner of Streets under the direction of the Committee on Streets and Public property shall immediately repair the same and if the costs be not paid, on demand, by the Street-Commissioner, by the owner or owners of the abutting or adjacent property, the Street-Commissioner shall present the Bill therefor to the Council; such bill shall specify the lot, lots or part of lots adjacent to the repairs so made, the name or names of the owner or owners thereof and the actual costs of the repairs made on that part of the Street or alley or sidewalk and the date when such repairs were made and the costs of such repairs shall be paid by the City out of the general fund. x

Sec 9 If the owner or owners of any tract or parcel of land, situated within the limits of said City, against which any statement, assessment or delinquent tax shall be entered in the Book of City lines under the provisions of this ordinance or if the Charter of said City, shall pay to the Treasurer of the City, within the time provided by said Charter therefor, the sum of such assessment or tax so entered or docketed against or upon any such land,

together with the costs or fees of the Recorder for docketing the same, and then present to the Recorder the Treasurer's receipt therefor, the Recorder shall at once cancel such lien upon the Lien docket by entering thereon full satisfaction of such assessment or tax, signed by him in his official capacity. But, if any such owner or owners shall fail or refuse to pay to the City Treasurer any such assessment or delinquent tax, together with the costs or fees of docketing the same in the Lien docket of the City, within the time provided by said Charter, the Council shall immediately after the expiration of such time order a warrant for the collection of such assessment or delinquent tax, to issue and forthwith; thereafter, the Recorder shall issue a warrant directed to the Marshall of the City commanding him to forthwith levy upon such tract of Land upon which such assessment or delinquent tax is still unpaid. Such warrant shall contain all the matters and things required by Section 69 of the Charter of said City, and also a copy of the statement entered in the Book of Liens of the City, creating such lien on such tract or parcel of Land.

Sec 10

Within sixty 60 days from the receipt of the warrant provided for and mentioned in Section 9 hereof, the Marshall must levy upon and sell the tract or parcel of land against which such warrant is issued. The levy shall be made by delivering to the owner or owners thereof, or to the agent of such owner or owners a copy of such warrant, certified to by the Marshall; and in case the Marshall, after due diligence, is unable to find owner of said land or any agent of such owner who has possession or control thereof, within the limits of the City of Lebanon, he shall then levy thereon by posting a copy of such warrant

in a conspicuous place on said premises x
Immediately after lying upon such parcel
of land as aforesaid, the Marshall shall give
notice of the time and place of sale of such
premises in strict conformity with Section 70
of the Charter of the City, and shall state in
such notice, that such premises will be sold
at public auction to the highest bidder for
cash in hand in gold coin of the United States
of America x When the hour of sale shall have
come the sale shall be made by the Marshall in
strict conformity with all the provisions and
requirements of Section 71 of the Charter x Im-
mediately after such sale the Marshal shall make
and execute a deed to the purchaser for such
premises in conformity to Section 72 of said
Charter and shall state therein that the premi-
ses described in and conveyed by such deed are
subject to redemption at any time within three
years in accordance with the provisions of Chap-
ter VIII of the Charter

Sec 11 If at any time within the period of redemption
mentioned in this ordinance, the City Treasurer
shall sell and transfer all right, title and interest
of the City of Lebanon, acquired at Marshall's
sale, in or to any premises sold by him under
the provisions of this ordinance or of the City
Charter, the expenses of the execution of the
deed thereto shall be paid by the purchaser, but
in no case shall the Treasurer or said City make,
execute or deliver any other than a quit-claim
deed for any premises sold by said Treasurer
under the provisions of this ordinance or of the
Charter of said City, nor shall the City of Lebanon
be held liable in any way for the failure of the
title to any tract of land sold as herein
provided x

Sec 12

If the property when sold as in this ordinance provided bring more than is required to pay such assessment and the interest and accruing costs and expenses of such sale, the surplus shall be by the Marshall or person making such sale to the Treasurer of the City and the Treasurer shall execute to the Marshall or person making such sale a receipt therefor x

Sec 13

When the Marshall has in all things completed any sale of lands under the provisions of this ordinance he shall immediately pay the proceeds of such sale to the City Treasurer, and the warrant by virtue of which, such sale was made together with the Treasurers receipt for the proceeds thereof, he shall at once return to the Recorder with all his doings in the premises endorsed on said warrant x

Sec 14

The Treasurer shall keep all monies paid over to him by the Marshall under the provisions of Section 13 of this ordinance, separate from all other money that may come into his hands from any other source, and shall pay over the same to the person or persons entitled thereto upon presentation to him of a warrant drawn by the Recorder under an order of the Council x The Treasurer shall also keep a Book in which he shall enter each sum of money so paid to him the lot or parcel of land from the sale of which the same arose or was realized, with the number and location of the Block in which such premises are situated and the name of the owner if known

Sec 13-

This ordinance shall be in full force and effect from and after its approval by the Mayor

Approved this 21st day of October, A. D. 1891

Attest-

Geo. W. Rice
City Recorder

M. A. Miller
Mayor