

Repealed by
Ordinance 63-526

ORDINANCE 48

AN ORDINANCE PERTAINING TO CONSTRUCTION AND REPAIR OF SIDEWALKS
THE PEOPLE OF THE TOWN OF SHERWOOD DO ORDAIN AS FOLLOWS:

SECTION I.

That whenever the Common Council of the Town of Sherwood, Oregon, shall deem it expedient and necessary that any new sidewalk shall be constructed within the Town of Sherwood, or whenever the majority of the property owners abutting any proposed new walk shall petition the council, the Common Council shall pass a resolution declaring that the construction of such sidewalk is expedient and necessary, and describe in said resolution the location thereof, the kind of material required to be used in the construction, the time in which same shall be completed, and that such sidewalk is to be constructed at the expense of the abutting property owners along said proposed walk.

SECTION II.

That all new sidewalks hereafter constructed abutting and business property, or property that may hereafter be used for business purposes, shall be constructed of cement, and in accordance with the following specifications: Width eight feet, grout or base three inches thick, mixture Portland Cement, one cement, three sand and six gravel. Top shall be three quarter inches thick, and of one cement and two sand.

SECTION III.

That all new sidewalks hereafter constructed abutting any residence property may be composed of either wood or cement, and shall not be less than four feet wide. If constructed of cement, shall conform to specifications set forth in section three of this ordinance. If constructed of wood, said sidewalks shall be composed of not less than three, 3 X 4 stringers, and the planking covering same, shall not be less than one and one half inches thick and eight inches wide, and each plank shall be thoroughly spiked down with two 20 penny nails in each stringer. The two outer stringers to be laid not more than two inches from outer edge of the planking covering the same.

SECTION VI.

Whenever a sidewalk is to be constructed within the Town of Sherwood, the Common Council shall cause a notice, containing the substance of the resolution provided for in Section one hereof, to be personally served by the Marshal of the Town, on each owner of property required to construct such walk, if said property owner is a resident of the Town of Sherwood, Oregon; provided if such property owner resides out of the town or if a resident owner and cannot with reasonable effort on the part of the Marshal, be found, a notice containing the substance of such resolution shall be posted in a conspicuous place upon said abutting property or at some point adjacent to and within plain view of the location of the proposed sidewalk for a period not to exceed the time as set forth in the resolution so provided by the Common Council in Section one hereof. If the address of such non-resident owner is known

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S E C T I O N V.

In all cases of failure of any owner or owners of such property to construct such sidewalk according to said resolution, after notice, as herein provided, the council, if the probable cost of the construction of such sidewalk shall exceed the sum of twenty-five \$25.00 dollars, may advertise by posting notices, or by one insertion in a paper published within the town, for bids for the construction of such sidewalk and may cause a contract to be entered into for the construction thereof by the lowest bidder; providing, if the probable cost of the construction of such walk shall be less than twenty-five \$25.00 dollars, the council may order the same constructed by direction of the Marshal by day labor in a summary manner. Upon the completion of any such sidewalk the council shall by ordinance, assess upon each lot or parcel of land liable thereof, its proportionate share of such cost and shall order and direct such assessment to be entered in the docket of Town liens and make the same a lien upon each lot or part thereof, or parcel of land liable for the cost of construction of such sidewalk.

SECTION VI.

Each lot or part thereof, or parcel of land shall be liable for the full cost of the construction of such sidewalk in front of and abutting upon it, extended to the curb lines, and provided further, that if such assessment is not paid after notice thereof, the council may proceed to levy upon such lot or part thereof, or parcel of land, liable for such assessment and cause the lien thereof to be satisfied by execution and sale, in the manner provided by the Charter of the Town of Sherwood, Oregon, for the collection of delinquent assessments for improvement purposes.

SECTION VII.

All Cement sidewalks constructed in the Town of Sherwood, Oregon, shall be laid on the official grade as furnished by the Town, unless specially ordered otherwise by the Common Council of the Town, and all sidewalks shall be laid with a fall towards the curb of one-quarter of an inch to the foot and shall meet the curb flush with the top thereof at all street intersections.

SECTION VIII.

Any person or persons desiring to repair sidewalks or construct new sidewalks shall apply for a permit to build, improve or repair same to the Common Council of the Town of Sherwood, describing the location, the kind of material and width of such walk and if such application shall comply with the requirements of this ordinance it shall be the duty of the Common Council to furnish said applicant, without cost or charge, a written permit to build, improve or repair such sidewalk according to the conditions and specifications as set forth in this Ordinance.

SECTION IX.

It shall be the duty of the Town Marshal of the Town of Sherwood, Oregon, to require all persons maintaining sidewalks along their property to keep the same clean and in good repair, and in case any sidewalk shall be out of repair or unsafe, it shall be the duty of the Town Marshal to serve a notice immediately, either personal or by mail, on the owner or owners of such property along which such walk is in need of repairing or cleaning as conditions may require, and each property owner shall be liable for the full cost of the repair or cleaning of the sidewalk along the property where the same shall be constructed, and upon the refusal or neglect of any property owner to repair or clean his sidewalk, after notice by the Town Marshal, in case of property owners residing in the town, 3 Days, and in case of property owners residing without the town, for not less than 3 Days, the Town Marshal shall proceed to repair or clean such sidewalk as the case may require, and report the expense thereof to the council at the next meeting following, which expense shall, unless paid by the owner or owners thereof, be made a lien upon the property as in the case of construction of new sidewalks.

SECTION X.

All work done under and in pursuance of the conditions and specifications of this ordinance, shall be done under the supervision of the Common Council, or their appointed agent, and upon the completion thereof in a satisfactory manner, they shall give a certificate to the party or parties having charge of the construction thereof, that the work and material are in conformity with the provisions of this Ordinance.

ORDINANCE Continued.

SECTION No. XI.

That any and all sidewalks hereafter constructed abutting any property within the original Town of Sherwood Oregon, comprising of Blocks One, two, three, four, five, six, seven, eight and nine, shall be constructed of cement, and shall conform to specifications and conditions set forth in this ordinance pertaining to cement sidewalks.

SECTION No. XII

It shall be unlawful for any property owner or contractor or their agents or employes, to construct any sidewalk in any manner contrary to the terms and provisions of this ordinance or to wilfully construct or build any sidewalk upon a grade or alignment contrary to the directions and instructions of the Common Council or their duly appointed agent.

SECTION No. XIII.

Any contractor, property owner their agents or employes, who shall violate any of the provisions of this ordinance shall upon conviction thereof, before the town recorder, be punished by a fine of not less than Ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, or by both fine and imprisonment not to exceed twenty days in the Town Jail

SECTION No. VX.

Inasmuch as the sidewalk ordinance now in existance pertaining to repairing and constructing of sidewalks is inadequate, and does not subserve the best interests of the inhabitants of the Town of Sherwood, Oregon, this ordinance shall be in full force and effect upon its passage by the Common Council and approval by the Mayor.

SECTION No. Xv.

That Ordinance No. 35, and all ordinances and parts of ordinances in conflict with this ordinance, is and the same is hereby repealed.

Passed the Common Council this 3rd day of Jan. 1921.

Approved by the Mayor this 3rd day of Jan. 1921.

J. E. Morbach
Mayor,

Ray H. Toole
Recorder.