

## **TITLE IX: GENERAL REGULATIONS**

### Chapter

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## CHAPTER 90: ABANDONED VEHICLES

### Section

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### • 90.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

**CHIEF OF POLICE.** Any authorized law enforcement officer of the city.

**COSTS.** The expense of removing, storing or selling a junked vehicle.

**DISCARDED.** Any vehicle which does not have lawfully affixed thereto an unexpired license plate and is in one or more of the following conditions:

Inoperative  
Wrecked  
Dismantled  
Partially dismantled  
Abandoned  
Junked

Discarded vehicles may be deemed to include major parts thereof, including but not limited to, bodies, engines, transmissions and rear-ends.

**PERSON IN CHARGE OF PROPERTY.** Any agent, occupant, lessee, contract purchaser, owner, or person having possession, control, title of property where a vehicle is located.

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**VEHICLE.** Any device in, upon or by which any person is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

**VEHICLE OWNER.** Any individual, firm, corporation, lessee, contract purchaser, owner or person having possession, control, title of property where a vehicle is located.  
(^78 Code, ' 10-4-1)

### ' 90.02 DECLARATION OF PUBLIC NUISANCE.

The open accumulation and storage of a discarded vehicle is hereby found to create a condition tending to reduce the value of private property to promote blight, deterioration and unsightliness, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the inhabitants of the city. Therefore, the presence of a discarded vehicle on private or public property is hereby declared to constitute a public nuisance which may be abated in accordance with the provisions of this chapter.

(^78 Code, ' 10-4-2)

### ' 90.03 PROHIBITED ACTION.

It shall be unlawful to store or permit the storing of a discarded vehicle upon any private property within the city unless the vehicle is completely enclosed within a building or unless it is in connection with a business enterprise dealing in junked vehicles lawfully conducted within the city.

(^78 Code, ' 10-4-3) Penalty, see ' 10.99

### ' 90.04 PROCEDURE FOR ENTERING PRIVATE PROPERTY FOR INSPECTION.

(A) The Chief of Police is authorized at all reasonable times to enter upon private property and examine any vehicle for the purpose of determining whether or not it is in a discarded condition. However, before entering upon private property, the Chief shall obtain the consent of an occupant thereof or a warrant of the Municipal Court authorizing his entry for the purpose of inspection, except when an emergency exists.

(B) No search warrant shall be issued under the terms of this chapter until an affidavit has been filed with the Municipal Court showing probable cause for such inspection, citing this chapter as the basis for such inspection, whether it is an inspection instituted by complaint or other specific or general information concerning the vehicle in question or the property on which it is situated.

(C) It is unlawful for any person to interfere with or attempt to prevent the Chief of Police from entering private premises and inspecting any vehicle when an emergency exists or the Chief exhibits a warrant authorizing entry.

(^78 Code, ' 10-4-5) Penalty, see ' 10.99

**' 90.05 NOTICE OF VIOLATION.**

(A) It shall be the duty of the Chief of Police, whenever a discarded vehicle is found upon private property to:

(1) Make an investigation to discover the owner of the vehicle and the person in charge of the property upon which such vehicle is located, and give written notice to them by personal service or by registered or certified mail, that the vehicle is in violation of this chapter; and

(2) If the owner of the vehicle is not found, to place a notice upon the windshield, or some other part of the vehicle, where it can easily be seen.

(B) The notice shall state that a certain discarded vehicle is in violation of this chapter and that within 15 days of the day of the sending or posting of the notice:

(1) The vehicle must be removed from the city, or to the storage yard of a business enterprise dealing in junked vehicles lawfully conducted within the city; or

(2) Completely enclosed within a building.

(C) The notice shall also state that the alternative to compliance with division (B) of this section is to petition the City Recorder and request appearance in writing before the City Council within 15 days of sending or posting of the notice and show cause why such vehicle should not be immediately removed as provided in of this chapter.

(D) The notice shall also state that failure to comply with this chapter authorizes the city to remove the vehicle and charge the cost.

(^78 Code, ' 10-4-4) Penalty, see ' 10.99

**' 90.06 HEARING BY COUNCIL; RESOLUTION ORDERING REMOVAL.**

Pursuant to a request, the City Council shall fix a time for a hearing to show why a vehicle should not be immediately removed. It shall receive the evidence and testimony of the Chief of Police and other interested persons concerning the existence, location and condition of the vehicle. After the hearing, the Council may authorize and order the vehicle removed by the city in accordance with the provisions of this chapter. The Council shall make its order in the form of a resolution which declares the vehicle to be a public nuisance. The resolution may order the removal of more than one vehicle and may consolidate the hearings and orders relating to more than one vehicle. The persons receiving the notice

specified in ' 90.05 hereof shall be sent copies of the resolution by the Council. In addition, the Council may impose conditions and take such other action as it deems appropriate under the circumstances in order to carry out the purposes of this chapter. It may delay the time for removal of the vehicle when, in its opinion, the circumstances justify it. It shall refuse to order the removal of the vehicle when the vehicle, in the opinion of the Council, is not subject to the provisions of this chapter. The Council shall not be bound by the technical rules of evidence in the conduct of the hearing.

(^78 Code, ' 10-4-6)

**' 90.07 ABATEMENT BY CITY AND APPRAISAL.**

(A) Fifteen days after the giving of notice required in ' 90.05 of this chapter or 15 days after adoption of a resolution declaring a vehicle to be a public nuisance as set forth in ' 90.06, the city shall be deemed to have acquired jurisdiction to abate the nuisance and may remove the vehicle by use of city employees or duly authorized independent contractors. It shall be unlawful for any person to interfere with, hinder or refuse to allow such persons to enter upon private property for the purpose of removing a vehicle under the provisions of this chapter.

(B) After removing the vehicle, the city shall cause it to be appraised.

(^78 Code, ' 10-4-7)

**' 90.08 DISPOSAL OF LOW-VALUE VEHICLE.**

(A) If a vehicle is appraised at \$75 or less, the Chief of Police shall file with the Department of Motor Vehicles an affidavit describing the vehicle, including the license plates, if any, stating the location and appraised value of the vehicle, and stating that the vehicle will be junked or dismantled. The Chief of Police may, without notice and public auction, dispose of the vehicle and execute a certificate of sale.

(B) The certificate of sale shall be substantially as follows:

**ACERTIFICATE OF SALE**

This is to certify that under the provisions of chapter 90 of the city code, being regulations for the impounding and disposition of discarded vehicles, I did on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, sell to

\_\_\_\_\_ for the sum of \$ \_\_\_\_\_ cash, the following described personal property (brief description of property) and in consideration of the payment of the said sum of \$ \_\_\_\_\_, receipt whereof is hereby acknowledged, I have this day delivered to said purchaser the foregoing property.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

Note: The City of Condon assumes no responsibility as to the condition of title of the above-described property. In case this sale shall for any reason be invalid, the liability of the city is limited to the return of the purchase price.@  
(^78 Code, ' 10-4-8)

**' 90.09 PROCEDURE FOR SALE OF IMPOUNDED VEHICLE.**

(A) If the vehicle is appraised more than \$75, the Chief of Police shall cause to be published in a newspaper of general circulation within the city a notice of sale. The notice of sale shall state:

- (1) The sale is of discarded property in possession of the city;
- (2) A description of the vehicle, including the type, make, license number, I.D. number, and any other information which will aid in accurately identifying the vehicle;
- (3) The terms of the sale; and
- (4) The date, time and place of the sale.

(B) The notice of sale shall be published two times. The first publication shall be made not less than ten days prior to the date of the proposed sale, and the second shall be made not less than three days prior to the date of the proposed sale.  
(^78 Code, ' 10-4-9)

(C) The Chief of Police shall hold the sale at the time and place appointed and within the view of the vehicle to be sold.

(D) The vehicle shall be sold to the highest and best bidder, providing that if no bids are entered, or those bids which are entered are less than the costs incurred by the city, the Chief of Police may enter a bid on behalf of the city in an amount equal to such costs.

(E) At the time of payment of the purchase price, the Chief of Police shall execute a certificate of sale, in duplicate, the original of which shall be delivered to the purchaser, and the copy thereof filed with the City Recorder.

(F) The certificate of sale shall be substantially as follows:

**ACERTIFICATE OF SALE**

This is to certify that under the provisions of chapter 90 of the city code, being regulations for the impounding and disposition of discarded vehicles, and pursuant to due notice of the time and place of sale, I did on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, sell at public auction to \_\_\_\_\_ for the sum of \$\_\_\_\_\_ cash, he being the highest and best bidder, and that being the highest and best sum bid therefor, the following described personal property, to wit: (brief description of the

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property). And in consideration of the said sum of \$ \_\_\_\_\_, receipt whereof is hereby acknowledged, I have this day delivered to said purchaser the foregoing property.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Note: The City of Condon assumes no responsibility as to the condition of title of the above-described property. In case this sale shall for any reason be invalid, the liability of the city is limited to the return of the purchase price.@

(^78 Code, ' 10-4-10)

**' 90.10 REDEMPTION BEFORE SALE.**

(A) A vehicle, impounded under the provisions of this chapter, may be redeemed by its owner or by the person in charge of the property from which the vehicle was removed, before a sale or disposition has taken place, by applying to the Police Department, whereupon he shall:

(1) Submit evidence of his ownership or interest in the vehicle, satisfactory to the Chief of Police that such claim is rightful;

(2) Pay the costs due and owed at the time the application to redeem is made; and

(3) Give evidence that the nuisance character of the vehicle will not be allowed to be resumed.

(B) Upon compliance with division (A) of this section, the Chief of Police shall execute a receipt and cause the vehicle to be returned.

(^78 Code, ' 10-4-11)

**' 90.11 ASSESSMENT OF COSTS.**

(A) After disposing of the discarded vehicle and deducting the money, if any, received from any sale of the vehicle from the costs, the City Recorder shall give notice as specified in ' 90.05 hereof to the person in charge of the property from which the vehicle was removed:

(1) Of the unpaid costs of abatement;

(2) That the cost as indicated will be assessed to and become a lien against the real property unless paid within 30 days from the date of notice; and

(3) That if the person in charge of the property objects to the cost of the abatement indicated, he may file a written notice of objection with the City Recorder within 20 days from the date of the notice.



(B) Within 40 days after the date of the notice, objections to the proposed assessment shall be heard and determined by the City Council.

(C) If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs shall be made by resolution of the Council and shall be entered in the docket of city liens, and upon entry being made shall constitute a lien upon the real property from which the nuisance was removed or abated.

(D) The lien shall be enforced in the same manner as liens for street improvements, and shall bear interest at the rate of 6% per annum. Such interest shall accrue from date of the entry of the lien in the lien docket.

(E) An error in the name of the person in charge of the property shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void. The assessment shall remain a valid lien against the property.

(78 Code, ' 10-4-12)



## CHAPTER 91: ANIMALS

Section

### *General Provisions*

- 91.01 Enforcement by police
- 91.02 Owning or possessing dangerous animal
- 91.03 Cruelty to animals
- 91.04 Keeping hogs

### *Dogs*

- 91.15 Dog license required; tag and collar; fee
- 91.16 Dogs to be muzzled or confined
- 91.17 Running at large prohibited
- 91.18 Impounding certain dogs

### **GENERAL PROVISIONS**

#### **' 91.01 ENFORCEMENT BY POLICE.**

It is hereby made the duty of the city police to strictly enforce the provisions of this chapter.  
(^78 Code, ' 10-2-4)

#### **' 91.02 OWNING OR POSSESSING DANGEROUS ANIMAL.**

(A) For the purpose of this section, ***DANGEROUS ANIMAL*** shall mean any animal with the propensity, tendency, or disposition to attack, to cause injury to, or to otherwise endanger safety of humans or other domestic animals.

(B) It shall be unlawful for any person to own or possess a dangerous animal as defined above within the corporate limits of the city.  
(^78 Code, ' 10-2-11) (Ord. 102 a, passed 2-15-89) Penalty, see ' 10.99

**‘ 91.03 CRUELTY TO ANIMALS.**

(A) No person shall torture, abandon, mutilate or needlessly kill any animal or bird; nor shall any person transport or permit to be transported any animal in a cruel and inhumane manner.

(B) No person shall fail to provide any animal in his custody with food, drink and protection from the elements.

(C) No person shall place or distribute any poison or other substance with the intent of poisoning any animal, except those animals commonly known and recognized as pests or rodents.  
(^78 Code, ‘ 10-2-8(B)) (Ord. 1-A, passed 2-4-59) Penalty, see ‘ 10.99

**‘ 91.04 KEEPING HOGS.**

It shall be unlawful for any person to keep any hog or hogs, or to keep or maintain any hog pen, pigsty or hog yard within the corporate limits of the city.  
(^78 Code, ‘ 10-2-8(A)) (Ord. 6-A, passed 2-4-59) Penalty, see ‘ 10.99

***DOGS*****‘ 91.15 DOG LICENSE REQUIRED; TAG AND COLLAR; FEE.**

(A) Every person owning or having possession of a dog or female dog, commonly called a bitch, shall pay an annual license thereon as provided by the City Council for each and every such dog or bitch of which he is the owner or possessor thereof. (^78 Code, ‘ 10-2-1)

(B) The annual license fee shall be collected by, and paid to, the City Recorder on or before July 1 of each year, except as hereinafter provided, and the City Recorder, upon receiving said license fee, shall provide the person paying the same with a tag which shall be attached to the collar and worn by the dog upon which the license fee was paid. Each owner shall provide proof of rabies vaccination. (^78 Code, ‘ 10-2-2)

(C) Every owner or possessor of a dog or bitch moving within the corporate limits of the city after July of any year shall, after being given 24-hours of notice by the city police, pay the annual license fee provided for herein; provided, that if such owner or possessor of a dog or bitch shall move within the corporate limits of the city after January 15 of any year, then such owner or possessor as the case may be shall pay one-half of the license fee provided for in division (A) of this section, the said license fee herein provided being again due and collectible on or before July 1 thereafter. (^78 Code, ‘ 10-2-2)

(D) It is hereby made the duty of the city police, at the end of each month, to pay all monies so collected into the city treasury, and take the Recorder's receipt therefor. (78 Code, ' 10-2-3) (Ord. 97-4, passed 4-5-97)

**' 91.16 DOGS TO BE MUZZLED OR CONFINED.**

It shall be the duty of the owner of any dog kept or brought within the limits of the city to securely muzzle the same, or to keep such animals securely tied with rope or chain at all times. (78 Code, ' ' 10-2-6, 10-2-7) (Ord. 4-A, passed 2-4-59) Penalty, see ' 10.99

**' 91.17 RUNNING AT LARGE PROHIBITED.**

No dog shall be permitted to run or be upon the public streets of the city, whether licensed or not, unless securely muzzled, or led by a rope or chain by the owner or keeper thereof. (78 Code, ' 10-2-5) Penalty, see ' 10.99

**' 91.18 IMPOUNDING CERTAIN DOGS.**

(A) When a dog is found running at large in the city, or when a dog is a public nuisance and the owner cannot be identified, the city police may impound it.

(B) When a dog is impounded, the city police shall post on the bulletin board at the City Hall a notice giving the description of the dog, time and location where the dog was found running at large. The notice shall be posted for three days for unlicensed dogs and for five days for licensed dogs. If the impounded dog was licensed, reasonable efforts shall be made to notify the owner during the five-day period.

(C) Regardless, should the owner of the dog impounded desire its release, the owner shall pay an impound fee set forth by City Council resolution. Any owner redeeming an impounded dog shall pay in addition to the impound fee, the trapping costs, the total of the daily care expenses accrued during the impound period and any other expenses incurred in the keeping of the dog.

(D) If no owner appears to redeem a dog within the allotted time, it shall be killed in a humane manner. If known, the owner shall be responsible for the costs identified in paragraph (C) of this section plus any costs incurred by the city in connection with disposition of the animal including travel to a proper facility and any fees charged by that facility.

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(E) Any dog running at large, which because of its disposition or diseased condition is too hazardous to apprehend, may be destroyed by a peace officer, dog control officer, or by a person acting in defense of himself, his family or another person.

(^78 Code, ' 10-2-10) (Ord. 101-A, passed 2-15-89; Am. Ord. 01-04, passed 6-6-01)

## CHAPTER 92: FIRE PREVENTION

### Section

- 92.01 Fire limits established
- 92.02 Giving false alarm of fire
- 92.03 Conduct at fires; loitering near fire equipment storage area
- 92.04 Permit required for burning
- 92.05 Depositing or accumulating combustible materials
- 92.06 Fuel storage and unloading

#### ***Cross-reference:***

*Building in fire limits constitutes nuisance, see ' 150.04.*

#### **' 92.01 FIRE LIMITS ESTABLISHED.**

The following shall be, and are hereby declared to be the fire limits of the city: On Main Street from 2nd Street to Spring Street, north on State Highway 19 from Main Street to City limits and 300 feet back. Within the area encompassed by the fire limits, buildings shall be constructed in accordance with the provisions of Chapter 150 of the Condon City Code.

(^78 Code, ' 9-1-1)

#### ***Cross-reference:***

*Building in fire limits constitutes nuisance, see ' 150.04.*

#### **' 92.02 GIVING FALSE ALARM OF FIRE.**

No person shall intentionally give any false alarm of fire or aid or abet in the commission of such an act.

(^78 Code, ' 9-2-1(A)) Penalty, see ' 10.99

#### **' 92.03 CONDUCT AT FIRES; LOITERING NEAR FIRE EQUIPMENT STORAGE AREA.**

(A) No person at a fire shall conduct himself in a disorderly manner or refuse to obey promptly any order of any member of the Fire Department or resist, obstruct or hinder any member of the Fire Department. For the purposes of this section all members of the Fire Department are endowed with the same powers of arrest as are conferred upon peace officers for violations of the city ordinances.

(B) It shall be unlawful for any person to loiter in or about the building or that part of a building in which the publicly-owned fire equipment is stored.

(^78 Code, ' 9-2-1(B) and (C)) (Ord. 1-A, passed 2-4-59) Penalty, see ' 10.99

#### ' 92.04 PERMIT REQUIRED FOR BURNING.

It shall be unlawful for any person to kindle or maintain any bonfire or to knowingly furnish the materials for any such fire or authorize any such fire to be kindled or maintained on or in any street, alley, road, lane or public roads or upon any private lot within the corporate limits of the city, unless a written permit to do so shall first have been secured from the Chief of the Fire Department.

(^78 Code, ' 9-2-2(A)) Penalty, see ' 10.99

#### ' 92.05 DEPOSITING OR ACCUMULATING COMBUSTIBLE MATERIALS.

(A) *Deposit of ashes; combustibles.* No person shall deposit ashes, smoldering coal or embers, greasy or oily substances or other materials able to create spontaneous ignition within ten feet of any wooden or plastered wall, partition, fence, floor, sidewalk, lumber, hay, shavings, rubbish or any combustible materials except in metallic or other noncombustible receptacles. Such receptacles shall be placed on noncombustible foundations or on the ground outside of the buildings and in every case must be kept at least two feet away from any combustible wall or partition.

(B) *Accumulation of weeds, combustibles.* No owner or occupant shall permit to remain upon any roof or in any court, yard, vacant lot or open space, any accumulation of waste papers, hay, grass, straw, weeds, litter or combustible or inflammable waste, lumber or rubbish of any kind. All weeds, grasses, vines or other growth, when the same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property it is on.

(^78 Code, ' 9-2-2(B) and (C)) (Ord. 3-A, passed 2-4-59) Penalty, see ' 10.99

#### ' 92.06 FUEL STORAGE AND UNLOADING.

(A) *Definition.* As used in this section, the term **VEHICLE** or **UNIT** shall include a truck or trailer or any other vehicle of whatever construction, or any truck, vehicle, unit of trucks and trailers, or any of these combinations of vehicles, trucks, units, trailers or tanks.

(B) *Storing gasoline, fuels.*

(1) Commercial and industrially zoned businesses may possess above ground fuel storage tanks, minimum volume 1,000 gallons, for the storage of gasoline or other petroleum fuels with a flash point less than 100EF, so long as that business complies with State of Oregon Fire Marshall regulations and uniform fire codes.



(2) Above ground storage of gasoline or other petroleum fuels with a flash point less than 100EF shall be prohibited in the Residential District.

(C) *Unloading gasoline, fuels.* Hereafter, any area in which gasoline or other petroleum fuels (with the exception of heating oil) are to be unloaded must meet the following qualifications:

(1) The area shall be enclosed by a four-foot link-chain fence.

(2) A No smoking@ signs, with letters four inches high, must be posted on the fence or on the gates within sight of the dump area.

(3) At least a 12 BC rating fire extinguisher must be accessible to the dump area.

(4) When actually unloading the gasoline or other petroleum fuels, tight fill connections are required. The tight fill connections must be at least five feet from the property line or any openings in a building.

(5) Gasoline storage shall hereafter comply with National Fire Prevention Association standards.

(6) During the actual unloading of gasoline or other petroleum fuels, the vehicle must be attended at all times by a qualified attendant.

(^78 Code, ' ' 9-3-1, 9-3-2) (Ord. 5-D, 12-4-74; Am. Ord. 105A, passed 5-1-91; Am. Ord. 96-5, passed 6-5-96) Penalty, see ' 10.99



## CHAPTER 93: NUISANCES

### Section

- 93.01 Definitions
- 93.02 Nuisances affecting public health
- 93.03 Nuisances affecting public peace
- 93.04 Unenumerated nuisances
- 93.05 Abatement procedure
  
- 93.99 Penalty

### • 93.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

**JUNK.** Includes all discarded motor vehicle parts, machinery, machinery parts, appliances or parts thereof, iron or other metal, glass, paper, timber, wood or other waste or discarded material, or material stockpiled for the purpose of recycling.

**PERSON.** A natural person, firm, partnership, association or corporation.

**PERSON IN CHARGE OF PROPERTY.** An agent, occupant, lessee, contract purchaser or other person having possession or control of property or the supervision of any construction project.

**PERSON RESPONSIBLE.** The person responsible for abating a nuisance shall include:

- (1) The owner.
- (2) The person in charge of property.
- (3) The person who caused to come into or continue in existence a nuisance as defined in this chapter or another ordinance of this city.

***PUBLIC PLACE.*** A building, way, place of accommodation, whether publicly or privately owned, open and available to the general public.  
(Ord. 04-02, passed 12-3-03)

• **93.02 NUISANCES AFFECTING PUBLIC HEALTH.**

No person shall cause or permit on property owned or controlled by him a nuisance affecting public health. The following are nuisances affecting public health and may be abated as provided in this chapter:

(A) *Debris.* Accumulations of debris, rubbish, manure and other refuse that are not removed within a reasonable time and that affect the health of the public.

(B) *Stagnant water.* Stagnant water which affords a breeding place for mosquitoes and other insect pests.

(C) *Water pollution.* Pollution of a body of water, well, spring, stream or drainage ditch by sewage, industrial wastes or other substances placed in or near the water in a manner that will cause harmful material to pollute the water.

(D) *Odor.* Premises which are in such a state or condition as to cause an offensive odor or which are in an unsanitary condition.

(E) *Surface drainage.* Drainage of liquid wastes from private premises.

(F) *Creating a hazard.* No person shall create a hazard by:

(1) Maintaining or leaving in a place accessible to children a container with a compartment and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside; or

(2) Being the owner or otherwise having possession of property upon which there is a well, cistern, cesspool, excavation, or other hole of a depth of four feet or more and a top width of 12 inches or more, fail or refuse to cover or fence it with a suitable protective construction.

(G) *Attractive nuisances.*

(1) No owner or person in charge of property shall permit thereon:

(a) Unguarded machinery, equipment or other devices which are attractive, dangerous and accessible to children.

(b) Lumber, logs, or piling placed or stored in a manner so as to be attractive, dangerous and accessible to children.

(c) An open pit, quarry, cistern or other excavation without safeguards or barriers to prevent such places from being used by children.

(2) This division shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death to playing children.

(H) *Snow and ice.* No owner or person in charge of property, improved or unimproved, abutting a public sidewalk shall be responsible for snow removal when the snow has been placed on the sidewalk by a public agency. However, no owner or person in charge of property, improved or unimproved, abutting on public sidewalk shall permit:

(1) Snow to remain on the sidewalk for a period longer than the first eight hours of daylight after the snow has fallen.

(2) Ice to remain on the sidewalk for more than eight hours of daylight after the ice has formed, unless the ice is covered with sand, ashes or other suitable material to assure safe travel.

(I) *Defective sidewalks.* No owner of property, improved or unimproved, abutting on a public sidewalk, shall permit:

(1) A sidewalk to deteriorate to such a condition that because of cracks, chipping, weeds, settling, covering by dirt, or other similar occurrences, the sidewalk becomes a hazard to persons using it.

(2) The city shall not be liable to any person for loss or injury to a person or property suffered or sustained by reason of any accident on sidewalks caused by ice, snow, encumbrances, obstructions, cracks, chipping weeds, settling, holes covered by dirt or other similar conditions. Abutting property owners shall maintain sidewalk free from such conditions.

(J) *Fences along a sidewalk.*

(1) No owner or person in charge of property shall construct or maintain a barbed-wire fence thereon, or permit barbed-wire to remain as part of a fence along a sidewalk; except such wire may be placed above the top of other fencing not less than six feet, six inches high.

(2) No owner or person in charge of property shall construct, maintain or operate on electric fence along a sidewalk or public way, or along the joining property line of another person.

(K) *Surface waters, drainage.*

(1) No owner or person in charge of a building or structure shall suffer or permit rainwater, ice or snow to fall from the building or structure onto a street or public sidewalk or to flow across the sidewalk.

(2) The owner or person in charge of property shall install and maintain in proper state of repair adequate drainpipes or a drainable system, so that any overflow water accumulating on the roof or about the building is not carried across or upon the sidewalk.

(L) *Trees, brush, grass.*

(1) The owner, person in possession, or the agent of the owner of any tract or parcel of land improved or unimproved shall, on and after May 1 of each year, keep, cut and remove therefrom all dead bushes, dead trees, stumps, and other items likely to cause fire and to spread fire, and shall cause the grass and vegetation to be cut to a height of less than 10 inches at least once each year after May 1 and before July 15.

(2) Brush, bushes and limbs of all kinds shall be trimmed and back so that they shall not project over the sidewalk or roadway area. Limbs may be allowed to project at an elevation of not less than nine feet above the level of the sidewalk and not less than 14 feet above the level of the roadway. Limbs, trees and other growth shall not be allowed to interfere with the city utility lines, or to block the view of the street signs or traffic signs.

(3) Nothing herein contained shall be considered to apply to bushes, trees, or other vegetation grown for food or fuel, providing that the health and safety of the public be not hereby endangered by the growth of such growth or vegetation.

(4) No owner or person in charge of property shall allow to stand, a dead or decaying tree that is a hazard to the public or to persons or property on or near the property.

(M) *Junk.*

(1) No person shall keep any junk outdoors on any street, lot or premises, or in a building that is not wholly or entirely closed, except doors used for ingress and egress.

(2) This section shall not apply to junk kept in a duly licensed junk yard or automobile wrecking house.

(Ord. 04-02, passed 12-3-03) Penalty, see ' 93.99

**‘ 93.03 NUISANCES AFFECTING PUBLIC PEACE.**

Radio and television interference.

(A) No person shall operate or use an electrical, mechanical or other device, apparatus, instrument or machine that causes reasonably preventable interference with radio or television reception by a radio or television receiver of good engineering design.

(B) This section does not apply to devices licensed, approved and operated under the rules and regulations of the Federal Communications Commission.

(Ord. 04-02, passed 12-3-03) Penalty, see ‘ 93.99

**‘ 93.04 UNENUMERATED NUISANCES.**

Declaration of nuisance, unenumerated nuisances.

(A) The acts, conditions or objects specifically enumerated and defined in ‘ 93.02 and 93.03 are declared public nuisances; and such acts, conditions or objects may be abated by any of the procedures set forth in ‘ 93.05.

(B) In addition to the nuisances specifically enumerated within this chapter, every other thing, substance or act which is determined by the Council to be injurious or detrimental to the public health, safety or welfare of the city is declared a nuisance and may be abated as provided in this chapter.

(Ord. 04-02, passed 12-3-03) Penalty, see ‘ 93.99

**‘ 93.05 ABATEMENT PROCEDURE.**

(A) *Notice.*

(1) Upon determination by the City Administrator, or designee, that a nuisance exists, the Administrator, or designee, shall issue a warning citation to the owner or person in charge of the property. The warning citation shall be personally served or mailed by certified mail with a return receipt requested.

(2) Such warning citation shall include the following information:

(a) A description of the real property, by street address or otherwise, on which such nuisance exists.

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(b) A description of the conditions comprising the nuisance.

(c) A direction to abate the nuisance with 14 days from the date of the warning citation.

(d) A statement that unless the conditions comprising the nuisance are removed or corrected, the owner or person in charge will be cited into Justice Court for the violation.

(3) Fourteen days after the issuance of the warning citation the City Administrator or designee shall inspect the premises to determine if the owner or person in charge of the property has abated the conditions comprising the nuisance, and if not abated, the City Administrator or designee may issue a citation to the owner or person in charge of the property to appear in the Justice Court at the next available date. The citation shall be personally served or mailed by certified mail with a return receipt requested.

(4) In addition to the citation issued under this section the City Administrator or designee shall cause a notice to be posted on the premises, or on the public right-of-way abutting the premises where the condition exists, stating the condition comprising the nuisance and the date and time that the owner or person in charge is to appear in municipal court.

(B) *Summary abatement.* The procedure provided by this chapter is not exclusive but is in addition to procedure provided by other ordinances; and the Health Officer, the Chief of the Fire Department or Chief of Police may proceed summarily to abate a health or other nuisance which unmistakably exists and from which there is imminent danger to human life or property.

(C) *Abatement ordered by court.*

(1) In addition to any fine imposed, the court may order the person to abate the nuisance within a specified time, as determined reasonable by the court.

(2) If, within the time specified by the court, the owner or person in charge of the property has not abated the nuisance, the court, upon application by the city, may order the city to abate the nuisance and charge the owner of the property for the cost of abatement and, if necessary, place a lien against the property as provided in division (D)(4) below.

(D) *Assessment of cost of city ordered abatement.*

(1) The City Recorder, or designee, shall keep an accurate record of the expense incurred by the city in abating the nuisance, and shall include therein a charge of 25% of the expense of administration overhead.



(2) The City Recorder, by registered or certified mail, postage prepaid, shall forward to the owner or person in charge of the property a notice stating:

(a) The total cost of abatement, including the administrative overhead.

(b) That the cost as indicated will be assessed to become a lien against the property unless paid within 30 days from the date of the notice.

(c) That if the owner or person in charge of the property objects to the cost of the abatement as indicated, he may file a notice of objection with the City Recorder not more than ten days from the date of the notice requesting a hearing.

(3) Upon receipt of a request for hearing, the Council shall set a date to consider objections. The objector shall be notified of such date and at said hearing that Council shall hear the objection and determine the cost to be assessed. Hearing shall be held within 60 days of date notice of objection is received.

(4) If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs as stated or as determined by Council shall be made by resolution and shall thereupon be entered in the docket of city liens and, upon such entry being made, shall constitute a lien upon the property from which the nuisance was removed or abated.

(5) The lien shall be enforced in the same manner as liens for street improvement are enforced, and shall bear interest at the rate of 9% per annum. Such interest shall commence to run from the date of the entry of the lien in the lien docket.

(6) An error in the name of the owner or person in charge of the property shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void; but it shall remain a valid lien against the property.

(7) The city may, for purposes of giving notice under this section, rely upon the most current records of the County Recorder and County Assessor for the purposes of identifying the name and address of the property owner, unless the city has actual notice that the property is owned by others.

(Ord. 04-02, passed 12-3-03)

• **93.99 PENALTY.**

Any person who shall be found guilty of a violation of any of the provisions of this chapter, shall be deemed guilty of a violation and, upon conviction thereof, shall be punished by a fine as provided in ' 10.99.

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(A) Each day's violation of a provision of this chapter constitutes a separate offense, for which a separate penalty may be imposed.

(B) The abatement of a nuisance is not a penalty for violating this chapter, but is an addition remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance; however, abatement of a nuisance within 14 days of the date of notice to abate, will relieve the person responsible from the imposition of any fine under ' 93.05.

(Ord. 04-02, passed 12-3-03)

## CHAPTER 94: PARKS AND RECREATION

Section

### *Municipal Golf Course*

- 94.01 Unlawful to use golf course without paying greens fees
- 94.02 Provisions concerning minors
  
- 94.99 Penalty

### *MUNICIPAL GOLF COURSE*

#### **‘ 94.01 UNLAWFUL TO USE GOLF COURSE WITHOUT PAYING GREENS FEES.**

It shall be unlawful for any person, without the authority or consent of the employee immediately in charge of the city golf course, to use said golf course or to play golf thereon, without first having paid to the city a fee (commonly know as a greens fee) as established by the city.

(^78 Code, ‘ 7-2-1) Penalty, see ‘ 94.99

#### **‘ 94.02 PROVISIONS CONCERNING MINORS.**

(A) No parent or guardian of a minor shall knowingly permit said minor to use or play golf on the city golf course in violation of ‘ 94.01 hereof.

(B) Monday through Friday, minors under 14 are permitted to play free of charge with adult supervision.

(^78 Code, ‘ 7-2-2) (Ord. 9-A, passed 6-17-69) Penalty, see ‘ 94.99

**' 94.99 PENALTY.**

Any person violating any of the provisions of this chapter shall, without notice, be subject to a fine of not less than \$20 nor more than \$50.

(^78 Code, ' 7-2-3) (Ord. 9-A, passed 6-17-69)

## CHAPTER 95: STREETS AND SIDEWALKS

### Section

#### *General Provisions*

- 95.01 Definitions
- 95.02 Jurisdiction; scope of regulatory control
- 95.03 City permission requirement
- 95.04 Prohibited sidewalk usage

#### *Sidewalk Construction*

- 95.15 Construction required by Council resolution
- 95.16 Notice to property owner
- 95.17 Construction by city; costs
- 95.18 Permit required
- 95.19 Grade and construction specifications
- 95.20 Sidewalk maintenance
- 95.21 Cleanup of construction materials required
- 95.22 Supervision of construction

#### *Numbering of Buildings*

- 95.35 Uniform system established
- 95.36 Base lines
- 95.37 Numbering structures
- 95.38 Owner to obtain, place numbers; size requirements

#### ***Cross-references:***

*Authority of Police Department to cut trees, see ' 70.16*

*Operating bicycles, motorcycles or toy devices on sidewalks, see ' 71.12*

**GENERAL PROVISIONS****▸ 95.01 DEFINITIONS.**

For the purposes of this chapter, the following terms shall mean:

**PUBLIC RIGHTS-OF-WAY.** Include, but are not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, paths, public easements and all other public ways or areas, including subsurface and air space over these areas.

**WITHIN THE CITY.** Territory over which the city now has or acquires jurisdiction for the exercise of its powers.

(<sup>78</sup> Code, ' 7-5-1) (Ord. 97-5, passed 3-5-97; Am. Ord. 00-04, passed 11-3-99)

**▸ 95.02 JURISDICTION; SCOPE OF REGULATORY CONTROL.**

(A) The city has jurisdiction and exercises regulatory control over all public rights-of-way within the city under the authority of the Charter and state law. (<sup>78</sup> Code, ' 7-5-2)

(B) The city has jurisdiction and exercises regulatory control over each public right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way. The city has jurisdiction and regulatory control over each right-of-way whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or by other means. (<sup>78</sup> Code, ' 7-5-3) (Ord. 97-5, passed 3-5-97; Am. Ord. 00-04, passed 11-3-99)

**▸ 95.03 CITY PERMISSION REQUIREMENT.**

No person may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use rights-of-way, and does not obligate the city to maintain or repair any part of the right-of-way.

(<sup>78</sup> Code, 7-5-4) (Ord. 97-5, passed 3-5-97; Am. Ord. 00-04, passed 11-3-99) Penalty, see ' 10.99

**▸ 95.04 PROHIBITED SIDEWALK USAGE.**

(A) No person shall store, maintain or display property on any part of sidewalks located within a residential district.

(B) No person shall store, maintain or display property on sidewalks within a business district which narrows the unobstructed straight path for pedestrian traffic to less than five feet in width. (Ord. 00-04, passed 11-3-99)

***SIDEWALK CONSTRUCTION*****• 95.15 CONSTRUCTION REQUIRED BY COUNCIL RESOLUTION.**

Whenever the City Council shall deem it expedient and necessary that any new sidewalk shall be constructed within the city, the Council shall pass a resolution declaring that the construction of such sidewalk is expedient and necessary and describe in the resolution with convenient certainty the location thereof, the kind of material required to be used in the construction thereof and the time within which the same shall be completed; provided, that owners of property resident within the city shall be allowed at least 20 days, the owner of property nonresident in the city shall be allowed at least 30 days within which to complete the construction of any such sidewalk; provided, the Council may allow such additional time as may be determined necessary. The resolution shall provide that such sidewalk is to be constructed at the expense of the adjacent and abutting property or at the general expense of the city, or in such proportions as may be determined to be equitable under the circumstances. When in the opinion of the Council, on account of topographical or physical conditions, or other character of the work involved, or when the Council otherwise believes the situation warrants it, may contribute what it deems a fair proportion of the cost of such sidewalk construction from general funds of the city, and the amount to be assessed to the property on which the sidewalk fronts or abuts, shall be proportionately reduced.

(<sup>^</sup>78 Code, ' 7-1-1)

**• 95.16 NOTICE TO PROPERTY OWNER.**

If the sidewalk is to be constructed at the expense of the abutting and adjacent property, a notice containing the substance of the resolution provided for in ' 95.15 herein shall be personally served by the police of the city on each owner of property required to construct such walk, if the property owner is a resident of the city, or if a resident owner cannot be served with reasonable diligence on the part of the police, a notice containing the substance of such resolution shall be posted in a conspicuous place upon the adjacent or abutting property or at some point adjacent to and within plain view of the location of the proposed sidewalk for a period of 20 days. If the address of such nonresident owner of abutting or adjacent property is known or can with reasonable diligence on the part of the police be ascertained, a copy of such notice shall be mailed, by registered mail, postage prepaid, to such nonresident owner and such posting and mailing of notice shall be deemed equivalent to personal service.

(<sup>^</sup>78 Code, ' 7-1-2)

**• 95.17 CONSTRUCTION BY CITY; COSTS.**

(A) In all cases of failure of any owner of such property to construct such sidewalk according to said resolution and notice, as herein provided, the Council may advertise by one insertion in a weekly newspaper for bids for the construction of such walk and may cause a contract to be entered into for the construction thereof by the lowest responsible bidder; provided, that the Council shall have the right to

reject all bids when they are deemed unreasonable or unsatisfactory. The Council may order and direct such work to be constructed by the Street Commissioner with city forces or day labor rather than to let the same for contract. (^78 Code, ' 7-1-3)

(B) Upon the completion of such sidewalks, the Council shall, by ordinance, assess upon each lot or parcel of land liable therefor, its proportionate share of the cost thereof and shall order and direct such assessments to be entered in the docket of city 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 walk. (^78 Code, ' 7-1-4)

(C) Each owner of a 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 such lot or part thereof, extending to the curb line. If such assessment is not paid after notice thereof, the Council may proceed to levy the cost of the sidewalk construction 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 law. (^78 Code, ' 7-1-5)

#### • **95.18 PERMIT REQUIRED.**

(A) Any person desiring to repair sidewalks or construct new sidewalks shall apply to the City Recorder for a permit to build, improve or repair the same, describing the location, the kind of material and the width of such walk. Upon compliance with the requirements of this chapter, the permit shall be furnished to the applicant without charge, and the official grade for such sidewalk shall be provided for the applicant. (^78 Code, ' 7-1-6)

(B) It shall be the duty of any property owner, when constructing a new residence, office, shop or other building within the city limits, which requires the services of any city utility, water or sewer, to also apply for and obtain a permit for the construction of the necessary sidewalks and curbs according to the requirements of this chapter. Such permit for sidewalks and curbs shall be issued with the necessary building permit issued by the city. (^78 Code, ' 7-1-12) (Ord. passed 8-7-63)

#### • **95.19 GRADE AND CONSTRUCTION SPECIFICATIONS.**

(A) *Within street right of ways.* All sidewalks (and service driveways) shall be constructed of cement concrete.

(B) *Subgrade.* Foundations upon which concrete shall be laid shall be of a substantial construction, of sufficient depth, and of suitable material to properly carry the concrete over load intended without sinking or spreading, as determined by the building official or engineer. No concrete is to be placed on frozen subgrade or on subgrade containing frozen materials.

(C) *Grade.* All sidewalks constructed in the city shall be laid on the official grade, unless specifically ordered otherwise by the Council; and all sidewalks shall meet the curb flush with the top thereof at all street intersections.



(D) *Width.* All sidewalks hereafter constructed or re-laid within the corporate limits of the city shall be at least four feet in width, except as follows: on Main Street from Walnut Street to Spring Street which shall be 12 feet in width.

(E) *Depth.* All sidewalks shall be constructed to at least three 5/8-inch thick, except sections constructed as part of a driveway and Main Street from Walnut Street and Spring Street shall be six-inches thick.

(F) *Curb dimensions.* Curb dimensions shall be as follows:

(1) The curb shall extend at least ten inches into the ground from the ground level after the street has been graded; six inches of curb shall be above ground level; the curb shall be six inches wide at the top and have a slope on the front of one inch in six inches; perpendicular on the back side.

(2) All curbs within the city shall conform to the official street grades, and shall be uniform as to material, dimensions and distance from the property lines along which they are built.

(3) Curbs at driveway shall be cut away slopingly for a distance of three feet.

(4) On all streets 60 feet or more in width, the outer edge of the curbing shall be eight feet from the property line.

(5) On all streets less than 60 feet in width and not less than 40 feet in width, the outer edge of the curbing shall be eight feet from the property line.

(6) On all streets less than 40 feet in width, the outer edge of the curbing shall be such distance from the property line as the Council shall from time to time, direct; provided, nothing in this section shall be construed to require the curb lines to be altered or changed on streets where the same have been permanently improved at the expense of the adjacent and abutting property, unless by order of the Council, and providing further, that nothing in this section or in this chapter shall be construed to preclude the Council, in case of permanent street improvement, from providing a different method and manner of constructing the curb lines along such proposed improvement.

(G) *Pattern.* On any side of any street on which concrete sidewalks already exist, the pattern established by the existing sidewalks, concerning the location of the sidewalk in relation to the curb and owner's property line, shall determine the location for all sidewalks on the side of the street concerned for that block. No deviation is to be made from established patterns without special permission of the Council.

On any side of any street where no pattern has been set by existing sidewalks, no sidewalk shall be constructed until the Council has rendered a decision on whether the walk shall be built next to the curb or next to the owner's property line.

(H) *Fall.* The sidewalk shall have a fall of 1/4-inch per foot from the property line toward the curb line.

(I) *Joints.* All sidewalks shall be divided by contraction joints no greater than seven feet, running across the walk at right angles to their length. Joints shall be 1/4 inch in depth with deep knife joints to provide for aggregate separation at each section boundary. Expansion joints shall be placed along the sidewalk at points not greater than 50 feet and between sidewalks and curbs. The joints shall be made by means of a prepared bituminous felt material 1/2-inch thick, or such other suitable material approved by the Council. The joint material shall be exact to the cross-section of the sidewalk and shall be flush with the top surface and edges of the walk. Unless otherwise directed by the city, sidewalk slabs shall be broom-finished to provide a nonskid surface.

(J) *Concrete mix.* The concrete mix for sidewalks and curbs shall have a minimum compressive strength of 3,000 pounds per square inch after a 28-day cure. (A minimum of five 94-pound sacks of cement per cubic yard of clean aggregate with a five-inch slump and 4% air content.) The contractor or property owner may be required to furnish quality assurance testing and results.

(K) *Curing.* All concrete shall be cured by maintenance of proper moisture content and temperature. Concrete shall be protected against premature curing with burlap mats frequently sprinkled with water for a period of at least 96 hours after placement or by the application of a liquid membrane-forming curing compound to the freshly placed concrete of not less than 150-square feet per gallon. In cold weather concrete shall be protected as necessary from frost action for a period of at least 96 hours after placement. (Ord. 06-01, passed 8-3-05)

#### • 95.20 SIDEWALK MAINTENANCE.

(A) *General provisions.* It shall be the duty of the Street Commissioner of the city 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 Street Commissioner to serve notice immediately on the owner of such property, as provided in ' 95.15 hereof, along which such walk or curb shall be constructed, to repair or clean the same 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 or repaired. Upon the refusal or neglect of any property owner to repair or clean his sidewalk, after notice by the Street Commissioner as herein provided, in cases of property owners residing in the city for not less than ten days, and in cases of property owners residing outside the city, for not less than 20 days, the Street Commissioner shall proceed to repair or clean such sidewalk as the case may require, and report the expenses thereof to the Council at the next regular meeting following, which expenses shall, unless paid by the owner thereof, be made a lien upon the property as in the case of construction of new sidewalks.

(B) *Removal of snow and ice.* All property owners bordering Main Street on the north to Frazier Street, and the south to Court Street, are required to have snow removed and ice dri-walked or salted on the walks or walkways by 10:00 a.m. (excluding Sundays) or a fine of \$25 will be imposed.

(C) *Failure to maintain sidewalks; injury to persons.* If the city is required to pay damages for an injury to persons or property caused by the failure of a person to perform the duties which this chapter imposes, the person shall compensate the city for the amount of the damages thus paid. The city may maintain an action in a court of competent jurisdiction to enforce the provisions of this subsection.  
(^78 Code, ' 7-1-7) (Ord. passed 8-7-63)

**‘ 95.21 CLEAN UP OF CONSTRUCTION MATERIALS REQUIRED.**

The owner or contractor, as the case may be, shall remove all refuse material or rubbish resulting from his operations. He shall not use adjoining property as a dumping ground, nor shall discarded forms, material or tools be left in any of the streets or alleys of the city longer than is necessary in the construction of walks or curbs. If not so removed, the Street Commissioner may remove the same at the expense of the owner or contractor, as the case may be, and the cost of removing any rubbish, material or tools shall constitute a lien against the property, and shall be enforced as other city liens.  
(^78 Code, ' 7-1-10)

**‘ 95.22 SUPERVISION OF CONSTRUCTION.**

The Street Commissioner or other employee of the city so designated shall have supervision over the construction of all curbs and walks and all repairs thereof mentioned in this chapter. The Street Commissioner or designated employee shall have power to stop the construction of any walk or curb whenever the person constructing the same shall neglect or refuse to comply with the specifications contained in this chapter or in any permit issued, and he shall not allow the construction of any such walk or curb or the repair thereof to proceed until the specifications are complied with.  
(^78 Code, ' 7-1-11)

***NUMBERING OF BUILDINGS***

**‘ 95.35 UNIFORM SYSTEM ESTABLISHED.**

There is hereby established a uniform system of numbering of all houses, stores, establishments and other buildings, excepting minor sheds and outbuildings, now situated or which may hereafter be erected within the city limits; which for convenience are hereafter designated as structures. Pursuant to such system, the numbers shall be placed on said structures in accordance with the map and plan now on file in the office of the City Recorder, which map shall be known as the AOfficial Numbering Map of the City of Condon, Oregon.@  
(^78 Code, ' 4-3-1)

• **95.36 BASE LINES.**

For the purpose of establishing and adopting a uniform system of numbering structures:

(A) Main Street shall constitute the east-west base line for numbering streets;

(B) Walnut Street shall constitute the north-south base line for numbering streets;

(C) All streets lying north of Walnut Street and east of Main Street shall be designated Anortheast;@

(D) All streets lying south of Walnut Street and east of Main Street shall be designated Asoutheast;@

(E) All streets lying north of Walnut Street and west of Main Street shall be designated Anorthwest;@

(F) All streets lying south of Walnut Street and west of Main Street shall be designated Asouthwest.@  
(^78 Code, ' 4-3-2)

• **95.37 NUMBERING STRUCTURES**

Numbers on all structures on the north side of streets extending east and west, and on all structures on the west side of streets extending north and south, shall be odd numbers commencing with the numbers 101 for the first block. The numbering shall be fixed by blocks, and in cases where the properties are not platted blocks, the confines of a block shall be fixed by the City Recorder. Each block extending north and south shall contain 18 numbers beginning with the appropriate block number and continuing three numbers for each 50-foot lot, beginning with 102 through 136 for the east side of streets; and beginning with 101 through 135 for the west side of streets. Each block extending east and west shall contain eight numbers beginning with the appropriate block number and continuing four numbers for each 100-foot lot beginning with 102 through 116 for the south side of streets, and beginning with 101 through 115 for the north side of streets. The numbering shall be assigned to structures on a frontage basis proportionate to the position in the block; in the event a question arises as to the proper number for a particular structure, the question shall be decided by the City Recorder.

(^78 Code, ' 4-3-3)

• **95.38 OWNER TO OBTAIN, PLACE NUMBERS; SIZE REQUIREMENTS.**

(A) It shall be the duty of every person, which term shall be construed to include persons, firms and corporations owning, occupying or controlling any structure within the city to obtain from the City Recorder the correct number for such structure and to number the same in accordance with the

provisions hereof, the same to be done within 60 days after the effective date hereof, or within 60 days after the erection of any structure which may be constructed after the effective date hereof.

(^78 Code, ' 4-3-5) (Ord. 5-B, passed 9-6-61)

(B) All numbers shall be placed on the front of each structure as near the main entrance as possible, in such manner as to be easily seen from the public way. All numbers shall be not less than three inches in height for the number proper and shall be distinctly legible. (^78 Code, ' 4-3-4)

