

ORDINANCE NUMBER 110.

An ordinance regulating the laying of water, gas and sewer pipes and mains within the Town of Milwaukie and repealing ordinance No. 21.

MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. That it shall be unlawful for any person, firm, or corporation to dig up, break, excavate, disturb, dig under, or undermine a public street or any part thereof, or any macadam, gravel, block, or other street pavement or improvement in the Town of Milwaukie, for the purpose of laying down or gaining access to, or repairing any water pipes or mains, or gas pipes or mains, or for the purpose of laying down, taking up, getting at or repairing any sewer, or pipes of any kind without first obtaining from the Recorder of said Town a written permit to do so. The applicant shall deposit with the Recorder of said Town the sum of \$25.00 before obtaining said permit: provided, however, that an applicant desiring to lay a water pipe or gas pipe across any unimproved street shall pay to the Recorder the sum of \$5.00 before obtaining said permit. If the applicant shall repair said street where said water pipes, gas pipes or sewer, was laid down or repaired, immediately, to the satisfaction of the Town Engineer and Council, then the said money so deposited with or paid to the Recorder shall be returned to such applicant. But in case the said applicant shall fail or refuse to repair the said street in a manner satisfactory to the Council and Town Engineer, the Council shall have the said street so repaired and apply the money so deposited or paid to the Recorder toward the cost of said repairs, and if said money is not sufficient to pay for said repairs, the applicant shall immediately pay to the Treasurer of the Town of Milwaukie the balance of the costs of the repairs to said street.

Section 2. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of

a misdemeanor and upon conviction thereof shall be punished by a fine of not less than FIVE DOLLARS nor more than FIFTY DOLLARS, or by imprisonment for a period of not less than Two days nor more than Ten days.

Section 3. Ordinance No. 21, entitled "An ordinance regulating the laying of water pipes across roads and streets in Milwaukie, Clackamas County, Oregon," is hereby repealed.

Section 4. Inasmuch as this ordinance is necessary for the immediate preservation of the public safety of the Town of Milwaukie and the inhabitants thereof; in this: It is necessary that persons be prohibited from tearing up the streets without procuring a permit so to do, and repair the same. Therefore an emergency is hereby declared and this ordinance shall go into force and effect from and after its approval by the Mayor. Posted this 13th day of May, 1914.

Passed the Council this 9th day of May, 1914.

Approved by the Mayor this 9th day of May, 1914,

  
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Mayor

Attest: D. P. Matthews  
Recorder.