

Ordinance Number 6

An ordinance governing the use of streets, sidewalks, alleys, grounds and public property, and to prevent the obstruction and defacement thereof, or injury to the same and prescribing fines and penalties for the violation thereof.

Be it ordained by the city council:

Section 1--(No rubbish to be placed on the streets, ect.) No person shall place, deposit or cast, or cause to be placed, deposited or cast upon any alley, street, gutter, sidewalk or public ground within the City of Washburn, any timber, wood, lumber, ashes, rubbish, offal, vegetables, paper, shavings, carcass, earth or any thing or substance whatever, which may obstruct any such street, alley, gutter, sidewalk, or public ground or impede, hinder or endanger travel thereon, or which shall or may injure or disfigure the same, or tend to the injury or disfigurement thereof, or tend to render the same unclean or a nuisance; nor shall any person cause or suffer any wagon, carriage, cart or other vehicle, or any box, crate, bale, package, merchandise, or other things to stand, be in, or upon such street, alley or public ground longer than may be actually necessary, under a penalty of five(\$5) dollars for each and every offense.

Section 2 (how rubbish may be removed.) In case any wood, lumber, timber or rubbish or any material or substance whatever mentioned in the foregoing section shall be found remaining or lying upon any street, alley, sidewalk or public ground within the limits of the City of Washburn, in violation of the foregoing section, it shall be the duty of the chief of police, or any police officer of the city to forthwith notify and require by either written or verbal notice, any person who may have placed or caused to be permitted to be placed such substance or thing upon such street, alley, sidewalk or public ground, or who may be the owner or have control of such timber, wood lumber, or other substance, or who may suffer the same to lie or remain in or upon such street, alley, sidewalk or public ground, to immediately remove such thing or substance or cause the same to be removed therefrom; and in case such person or persons shall neglect or fail to remove or cause to be removed such substance or thing within a reasonable time after being so notified, it shall be the duty of the chief of police, or any police officer, to remove the same or cause it to be removed from such street, alley, sidewalk or public ground to some convenient or safe place within said city at the expense of such person or persons, to be recovered in an action against him or them, to be prosecuted in the name of the city.

In addition thereto, for such neglect or failure, such person or persons may be arrested and if found guilty, fined in a sum not less than five (\$5) dollars nor more than twenty-five (\$25) dollars.

Section 3 (What may be lawfully placed in the street) It shall be lawful, notwithstanding anything herein contained to the contrary, for any person to place, hand or set out for sale, any goods, wares or merchandise on or over the sidewalk in front of and within three feet of his store or building; and it shall also be lawful for any reason to place and leave for a period of not exceeding six hours, within three feet of the outer edge of the sidewalk in front of his store or building, any goods wares or merchandise which he shall be in the act of receiving or delivering. This section shall apply only to sidewalks of ten or more feet in width.

Section 4. (Placing of vehicle and animals in street.) No person or persons shall place or caused to be placed any wagon, cart, carriage or other vehicle, upon any cross-walk in said city so as to obstruct the same, nor shall at any time fasten any horse or horses, or other animals in such way that such horse or other animal, vehicle, reins or lines shall be an obstacle to the free use of the cross-walk or sidewalk, under a penalty of ~~two~~ one dollar and costs for each and every offense; and the person in whose possession or use such animal or animals shall then be deemed the offender, unless he can prove the contrary to the satisfaction of the magistrate before whom he shall be prosecuted.

Section 5. (To prevent the use of vehicles on sidewalks.) No person shall place, push, draw or back any wagon, cart, or othe vehicle on any sidewalk, or use, drive or ride any horse or other animal, wagon, sleigh or other vehicle thereon, unless it be in crossing the same to go into a yard or lot when no other suitable crossing or suitable access is provided, under a penalty of one(\$1) dollar for each offense: And shall be civilly liable for all damage inflicted to be recovered in an action by the city

Section 6. (Permission may be granted to use part of street,How.) The mayor is authorized to grant to any person permission, for a limited time, to place and keep any building materials on or upon any street in front of any lot, when such materials are intended for and about to be used by such person in the erection or repair of any building or other improvements, but such permission shall not authorize the obstruction of more than one third of the sidewalk and one-third of the carriage way next to such lots or lots, nor shall such material be placed so as to obstruct the free flow of water in the gutters, Any person so placing such material as aforesaid, without the permission of the mayor first obtained, or placing the same in any other manner than that required by this section, shall be punished by a fine of not less than one(\$1) nor more than ten(10)dollars.

Section 7. (When such material shall be removed.) Every person to whom permission is granted as aforesaid, shall cause all the timber, building material, rubbish and debris arising therefrom, to be removed from the street at the expiration of the time limit set by the mayor, under a penalty of two(\$2)dollars for every forty-eight hours such materials, timber, debris, or rubbish shall remain on such street after the expiration of the time limited in such permission granted as aforesaid; but no single recovery shall exceed the sum of twenty-five (\$25) dollars.

Section 8. (Regulation signs, ect.) No owner or occupant of any store, or any other building hereafter shall fix, put up, erect or suffer to remain fixed, put up, hung or erected any sign, show bill, show case, canvas or other things projecting from such building or store, or hanging over the sidewalk more than three feet in front of any such store or building, and within eight feet of any portion of the sidewalk, under a penalty of five(\$5)dollars for every offense and a like penalty of three(\$3)dollars for every forty-eight hours the same shall remain after being ordered to be removed by the mayor, chief of police or any alderman of the city; but this section shall not be construed to prevent any merchant or other person from maintaining an awning in front of his place of business, extending no more than eight feet from his store or building and at least seven feet above the sidewalk, and a violation of this clause shall be punishable as above provided in this section.

Section 9. (Protection of shade trees.) No person shall at any time fasten any horse to any fruit, ornamental or shade tree within this city, or to any box or protection around such tree, without the consent of the owner of such tree; and no person shall fasten or hitch any horse to any tree in any city park or public ground. A violation of this section shall be punishable by a fine of not less than three(\$3)dollars and not more than ten(\$10)dollars; and such offender shall be liable in a civil action for any damage done.

Section 10. (Horses to be safely tied) No person shall leave any horse, horses, mules or mules in any street or alley of the city without being sufficiently tied or secured, under a penalty of two(\$2) dollars for each offense; provided that it shall be lawful for duly licensed truckmen and draymen of the city to leave their horses or mules standing attached to or with a halter weight.

Section 11 (when fire wood may be stored in the street) It shall be lawful, notwithstanding anything/contained to the contrary, for any person to place or have in the street in front of his office, store or building for a period not exceeding forty-eight hours and at no less than two feet, nor more than seven feet, from the gutter, any firewood or other material. Any person violating this section shall be punishable by a fine of not less than one(\$1)dollar and not more than five(\$5)dollars.

Section 12. (For protection of sidewalks, Sewers, ect.) No person shall injure or tear up any street, road, sidewalk, crosswalk, drain or sewer or any part of the aforesaid or dig any hole, ditch, drain in any street, sidewalk or public ground or remove any gravel, sod or sand from any street or road, without authority from the city council and mayor, under a penalty of not less than three(\$3)dollars nor more than ten(\$10)dollars for every offense.

Section 13 (Protecting drains and sewers.) No person shall cast or throw or cause to be thrown or cast into any drain or sewer within the city any filthy substance or any substance likely to cause any obstruction, nuisance or injury in or to the same under a penalty of not less than one(\$1) nor more than ten(\$10) dollars for each offense.

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Section 14. (Regulating construction of sewers in streets) No person shall construct or cause to be constructed, or made, any sewer, vault, cistern or well in any of the streets or public places of the city, without express authority from the city council, under a penalty of twenty-five (\$25) dollars for each and every offense.

Section 15. --Whenever permission shall have been granted to any person to lay any drain, sewer, gas or water pipe along or in any public street or alley in said city, he shall cause the same to be done in such manner and such time as the city council shall direct, and restore the same in as good condition as it was before, under a penalty of twenty-five (\$25) dollars for every violation of the provisions of this section.

Section 16. (Buildings not to be removed without permission) No person shall without having obtained permission of the mayor, move or place for the purpose of moving, any building in or along any street within said city, under a penalty of not less than ten (\$10) dollars nor more than fifty (\$50) dollars.

Section 17. (Preventing fast driving) No person shall ride or drive any horse, or other animal, or automobile on any street or alley in said city faster than a trot, ^{speed to travel} nor at a greater speed than at the rate of eight miles ^{per hour} per hour, under a penalty of three (\$3) dollars for every offense; and it is hereby made the special duty of the chief of police to see that this ordinance is enforced.

Section 18. --The occupant of every building, tenement or premises fronting upon any street in this city, and the owner or agent having control or custody of any unoccupied buildings or premises fronting on any such street shall keep the sidewalks in front of their premises reasonably free and clear from snow and ice and shall after and during any snowfall clear the snow of such sidewalk before ten o'clock in the forenoon of each day, and every person failing or neglecting to comply with any of the provisions of this section shall be punished by a fine of not less than one (\$1) dollar and not more than ten (\$10) dollars.

Section 19. (Excavations to be provided with signal lights. By whom) Any person firm or corporation, engaged in any building operation or making any excavation upon or adjoining any public street or alley shall construct and maintain all proper guards and hang out and maintain proper signal lights during the hours of darkness to warn passersby of danger and to prevent accidents. Any person firm or corporation violating the provisions of this section shall be fined in a sum not less than five (\$5) dollars nor more than twenty-five (\$25) dollars.

Section 20. (Imprisonment if fines not paid) Any person upon whom any fine or penalty shall be imposed under this ordinance or any of the sections thereof, may upon the order of the court before whom the conviction is had, be committed to the county jail, city prison, workhouse, house of correction or other place provided by the city for the incarceration of offenders, until such fine, penalty and costs shall be fully paid; provided that no such imprisonment shall exceed three months for any one offense and shall not exceed one day for every two dollars of the fine and costs.

Read the first time, September 9, 1908

Read the second time, October 7, 1908

Passed, January 20, 1909

Approved, January 20, 1909.
(seal)

Theo. J. Haugeberg,
Mayor

Attest: Theo Serr,
City Auditor.

Published-----