

Ed Dawson

Subscribed and sworn to before me this 3 day of July, 1917.

J. Hawary  
 Notary Public for the  
 State of Montana, Resid-  
 ing at Polson, Montana,  
 My Commission Expires  
July 9-1919

ORDINANCE NO. 119.

AN ORDINANCE PROVIDING FOR THE SAFETY OF PEDESTRIANS: FOR THE RE\*-PAIR OF SIDEWALKS: FOR THE REMOVAL OF SIDEWALKS AND CORSSINGS: FOR THE PREVENTING OF THE USE OF SIDEWALKS WHICH MAY BECOME UNSAFE FOR PEDESTRIANS: AND PROVIDING THAT THE COST OF ALL REAPIRS TO SIDEWALKS AND THE REMOVAL THEREOF BY THE CITY, SHALL BE TAXED AGAINST THE ABBUTTING PROPERTY, AND CREATING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

SECTION 1. Whenever any sidewalk is in an unsafe condition for pedestrians, it shall be the duty of the street commissioner to place a suitable obstruction on either side of that part of the sidewalk which is in unsafe condition, and notify the owner or occupent of the abutting property that such sidewalk must be repaired, or if the abutting property be unoccupied and the owner cannot be found within the city, then the street commissioner shall post a notice on such property requiring such walk to be repaired. If such walk be not properly repaired within twenty-four hours of the giving of the notice, as herein provided, then the street commissioner shall report the facts to the mayor, and the mayor may cause such sidewalks to be repaired or removed by the city.

SECTION 2. All repairs to sidewalks made by the city shall be paid out of the special fund, and the city clerk shall keep a separate account of the cost of such repairs and charge the abutting property therewith, and between the first and tenth days of October of each year, shall certify to the city treasurer a list of all property chargeable with repair of all sidewalks for the year ending September thirtieth of such year, with the amount of the cost of repairs for which each separate parcel is chargeable, to which cost of repairs he shall add interest at the rate of six per cent per annum from the date of the incurring of such charge by the city, and ten per cent additional to cover cost and charges of administration, and such items shall constitute a tax against the property, affected thereby, and such tax shall be collected by the city treasurer, and if not paid on or before November thirtieth of the year certified, the property, affected thereby, shall be sold by the city treasurer for delinquent taxes, after being advertised for sale by him, as in the case of property sold for delinquent special improvement assessments, and all taxes collected under the provisions of this ordinance shall be placed in the special fund of the city.

SECTION 3. Where a sidewalk is removed by order of the Mayor, as herein provided, unless the owner of the abutting property shall take away from the street or avenue the material, of which such sidewalk is constructed, the same is removed by the city, then the street commissioner shall dispose of such material to the best advantage and the cost of the removal of the sidewalk and disposition of the material, less any amount realized out of the sale of the material, if sold, shall be a tax against the abutting property, and shall be certified and collected, as herein provided for repairs made to sidewalks of the city, together with interest and charges of administration, as hereinbefore provided.

SECTION 4. The words Street Commissioner, as used in the ordinance, shall be construed to include any officer or employee

of the city, whose duty it may be, for the time being, to inspect or supervise the inspection of the sidewalks of the city.

SECTION 5. The mayor may, at any time, cause to be removed any crossing that in his judgment is unsafe for pedestrians.

SECTION 6. Any person who takes down or removes, or in any manner interferes with any obstruction placed on any sidewalk, as provided for in section one of this ordinance, shall commit the offense of obstructing the administration of the City, and upon conviction thereof shall be punished by a fine of not less than five dollars and not more than one hundred dollars.

SECTION 7. This ordinance is hereby declared to be an emergency ordinance, for the reason that the preservation of safety of the inhabitants of the city demands that it go into immediate effect, due to the unsafe condition of the sidewalks of the city.

SECTION 8. The provisions of all ordinance in conflict with this ordinance are hereby repealed.

SECTION 9. This ordinance shall take effect immediately upon its passage and approval.

Passed by the City Council this 28 day of June, A. D. 1917.

Approved by the Mayor this 28 day of June, A. D. 1917.

[Signature]  
Mayor.

Attest

[Signature]  
City Clerk.

State of Montana,  
County of Flathead, --SS  
City of Polson.

H. S. Hanson, being duly sworn, upon his oath says: I am a citizen of the United States, over the age of 21 years and am and was at the time mentioned in this affidavit, the City Clerk of the City of Polson, in said County and State, that on the 30th day of June, 1917, in accordance with the order of the City Council of the City of Polson, requiring all Resolutions and Ordinances of said city to be published by Posting in three of the most public places in the said city, I posted a copy of the foregoing Ordinance 119 in three of the most public places in said City, to-wit:---One in the office of the Mayor, one copy in the office of the Police Judge and one of the copies in the office of the City Treasurer, that each of the said copies so posted by me was a true, full and correct copy of the said ordinance and the whole thereof.

Subscribed and sworn to before me this 3 day of July, 1917.

[Signature]  
Notary Public for the State of Montana, Residing at Polson, Montana, My Commission Expires July 9-1919.

