

Ordinance shall take effect immediately upon its passage and approval as provided by law.

Passed and approved this 21st day of April, 1911.

Mayor

Attest

B. J. Tauson
City Clerk

Ayes - Dawson, McDonald, Mills and Gabb.

Noes - None.

ORDINANCE NUMBER 24.

An Ordinance providing for the excavation of streets and alleys, and providing rules and regulations governing the same.

Be it ordained by the City Council of the City of Polson.

Section 1 - It shall be unlawful for any person or corporation to make any excavation in any of the streets or alleys of this city without first having obtained the consent of the City Council or of the Street Commissioner, in writing, defining the character of the excavation to be made. Such written consent shall be in the possession of the party doing the excavating, to be shown to any officer of the city upon demand. Any person or corporation violating the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not more than three hundred dollars. It is hereby made the duty of the Street Commissioner to make complaint before the Police Court of any violation of this Ordinance, and to prevent any such excavation without authority he shall use the entire police force of the city and deputize as many assistants as are necessary.

Section 2 - Every applicant for a license to make any excavation in any of the streets or alleys of the city shall make the same in writing, signed by the applicant, and shall set forth the dimensions of the proposed excavation, and the purpose for which it is to be used, and every such license shall provide that the excavation licensed shall not be used for any other purpose than that stated in the application, and such license may at any time be revoked by the City Council or the Street Commissioner.

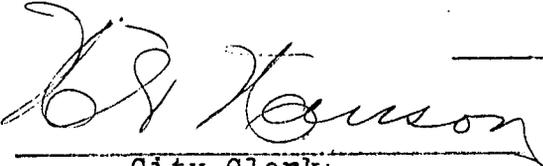
Section 3 - When any excavation is made in a street or alley for any purpose, the person by or for whom such excavation has been made shall cause a rail or other sufficient fence to be placed so as to enclose such excavation, and the dirt, gravel or other material thrown therefrom, and such fence shall be maintained during the whole time for which the excavation continues and until the street or alley is put in full repair, and he shall also cause a light to be fixed to some part of such fence, or in some other proper manner, over or near the dirt, gravel or other material taken therefrom, and so kept from the beginning of twilight through the whole of every night during all the time such excavation exists. Whoever refuses or neglects to place a light on an excavation in the street or alley, as required by this Ordinance, or who maliciously or wantonly and without legal cause extinguishes or diminishes a light fixed in accordance with the provisions of this Ordinance shall be liable to a penalty of not more than three hundred dollars.

Section 4 - Whoever by virtue of a license or otherwise digs up or causes to be dug or broken up or excavated, any part of any public street or alley shall within such time as the Street Commissioner or some other person authorized, may order, caused such street or alley to be repaired, and amended to the satisfaction of the said Street Commissioner, and if he or they neglects or refuses so to do he shall be deemed guilty of committing a nuisance, and upon conviction thereof he shall be fined in the sum of not more than three hundred dollars, and shall be liable for the expense of the repair of the street or alley which may be recovered by action in the Police Court.

Section 5 - All ordinances and parts of ordinances so far as they may conflict herewith are hereby repealed.

Section 6 - Whereas an emergency exists and it is immediately necessary for the preservation of the peace, health and public safety of the inhabitants of the City of Polson, this Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 21st day of April, 1911.

Attest 
City Clerk

Mayor

Ayes - Dawson, McDonald, Mills and Gabb. Noes - None.