

ORDINANCE NO. 1380

AN ORDINANCE REGULATING THE USE OF DITCHES AND DAMS IN BAKER CITY, OREGON, AND PROHIBITING FLOODING OF STREETS OR PROPERTY WITHIN THE CORPORATE LIMITS OF BAKER CITY.

Baker City does ordain as follows:

Section 1. It shall be unlawful for any person or persons, corporations, or associations of persons to use or permit to be used any water ditch or conduit in any street, lane, alley, boulevard or place within the corporate limits of Baker City in such manner as shall, at any time, flood any street or public place, or damage any private or public property within the corporate limits of said Baker City, Oregon, or to cause or permit or suffer any such ditch or water conduit to over-flow in such manner as shall flood or injure or do damage to, or impair the use of any public street, lane, alley or place whatsoever.

Section 2. It shall be unlawful for any person, company, corporation or association of persons to place, or construct, or cause, or permit to be placed, or constructed any dam in Powder River, or any stream, in such manner as to cause the waters thereof to in any manner overflow so as to cause any damage, injury or inconvenience to any private or public property within the corporate limits of said Baker City.

Section 3. Any person violating any of the provisions of Sections 1 and 2, of this ordinance shall, upon conviction thereof, be punished for the first offense by a fine of not less than \$10. 00; for a second offense of like character by a fine of not less than \$25. 00; and for a third offense by a fine of not less than \$50. 00, and in case of failure to pay such fine, such person may be imprisoned in the city jail for a period of one day for each \$2. 00 of such fine, and that each day's continuance of such violation of any provision of this ordinance shall constitute a separate offense.

Section 4. It shall be the duty of the street superintendent of Baker City to cause the arrest of and file complaint against any person violating the provisions of this ordinance.

Section 5. Inasmuch as flooding of streets and property in Baker City, Oregon, is a continual menace and danger to the public peace, health and safety, and the purpose of the provisions of this ordinance is to provide a remedy against the same, an emergency is for said reasons hereby declared to exist, and this ordinance shall take effect immediately upon its approval by the mayor.

Section 6. All ordinances and parts of ordinances in conflict herewith, insofar as same may be in conflict herewith, are hereby repealed.

Passed by the common council of Baker City, Oregon, this 11th day of July, 1910.

Approved by the mayor of Baker City, Oregon, this 11th day of July, 1910.