

ORDINANCE NO. 2398**AN ORDINANCE PROVIDING FOR THE REPAIR OF ANY STREET OR ALLEY OPENED FOR IMPROVEMENT OR REPAIR; REPEALING ORDINANCE NO. 1165; PROVIDING A PENALTY; AND ESTABLISHING THE EFFECTIVE DATE HEREOF BY THE DECLARATION OF AN EMERGENCY.**

Be it ordained by the city of Baker:

Section 1. Whenever the surface of any street or alley in the city is broken for the purpose of reaching, laying or repairing any sewer, gas, water or other pipe or main, it shall be the duty of the person, firm or corporation so digging to refill and repair the street or alley in such manner as to make it conform to the grade and quality of the surrounding street or alley surface.

Section 2. If any person, firm or corporation shall fail to comply with Section 1 of this ordinance the city council may cause the repair of the street or alley in question. The cost of such repair shall be paid by the person, firm or corporation failing to make the required repairs.

Section 3. In addition to any costs collected under Section 2 of this ordinance any person, firm or corporation violating the provisions of this ordinance upon conviction thereof by the municipal court of the city of Baker shall be punished by imprisonment for a period of not more than 30 days or by a fine of not more than \$100.00 or by both.

Section 4. Ordinance No. 1165 is hereby expressly repealed.

Section 5. It is hereby determined and found that it is in the best interests and welfare of the people of the city of Baker that the repair of streets and alleys be controlled. By virtue of the foregoing reason, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon and after its passage by the city council and approval by the mayor of the city of Baker, Oregon.

Passed by the council of the city of Baker, Oregon, this 18th day of February, 1957.
Approved by the mayor of the city of Baker, Oregon, this 18th day of February, 1957.