

278
ORDINANCE NO. 278

AN ORDINANCE REGULATING THE CONSTRUCTION AND MAINTENANCE
OF RETAINING WALLS, CRIB WALLS, BULKHEADS, OR OTHER
STRUCTURES ABUTTING SAN ANSELMO CREEK OR ITS
TRIBUTARIES AND PROVIDING PENALTIES FOR
VIOLATION OF THIS ORDINANCE.

The City Council of the Town of San Anselmo does ordain
as follows, to-wit:

SECTION 1: It shall be unlawful to build, construct or
maintain any retaining wall, crib wall, bulkhead or other structure in
or upon any private property, which said retaining wall, crib wall,
bulkhead or other structure abutts or is upon the bank of San Anselmo
Creek or any of its tributaries in the Town of San Anselmo without first
securing a permit to build, construct or maintain any such structure
from the City Council of the Town of San Anselmo.

SECTION 2: Any person, firm or corporation desiring a
permit to build, construct or maintain any retaining wall, crib wall,
bulkhead or other structure described in Section One hereof, shall make
application for such permit to the City Council of the Town of San Anselmo.
Said application shall be accompanied by a drawing or plan clearly describing
said proposed structure and the materials and type of construction to be
employed, which shall show a cross-section of said proposed structure and its
layout on ground, and shall be prepared by a licensed Civil Engineer, duly
licensed in the State of California, and his name and registration number shall
clearly appear upon said drawings or plan. If no such Civil Engineer is
available to said applicant, he or his agent may submit drawings and a plan,
together with a fee in the sum of \$25.00 as a cost of structural analysis, in

which case the City Council shall instruct the City Engineer to analyze said plans or drawings and make recommendations as he sees fit to make to the City Council and the report of said City Engineer shall be attached to said plans or drawings and forwarded to the City Council. Said City Engineer shall receive a fee for his service in this respect in the sum of \$25.00.

SECTION 3: Thereafter, the City Council may issue or deny said permit, or may issue said permit subject to faithful adherence by the applicant to the recommendations of the City Engineer.

SECTION 4: It shall be unlawful to build, construct or maintain any retaining wall, crib wall, bulkhead or other structure in or upon the banks of said San Anselmo Creek or any of its tributaries which in any way interferes with or restricts the present area of said creeks or interferes with or changes the direction of the flow of water and any such obstruction or interference shall constitute a public nuisance.

SECTION 5: Any violation of the provisions of this ordinance shall constitute a misdemeanor and shall be punishable by fine of not to exceed \$300.00 or imprisonment not to exceed six months, or by both such fine and imprisonment.

SECTION 6: The foregoing ordinance shall be published once within fifteen days after its final passage and adoption in the San Anselmo Herald, a weekly newspaper of general circulation published and circulated in the Town of San Anselmo and hereby designated for that purpose.

The foregoing ordinance was duly and regularly introduced at an adjourned regular meeting of the City Council of the Town of San Anselmo, held in said Town on the 28th day of August, 1940, and was thereafter at a regular meeting of said City Council held in said Town of San Anselmo on the 10th day of Sept, 1940, and was duly passed and adopted by the following vote:

AYES: COUNCILMEN:
NOES: COUNCILMEN:
ABSENT: COUNCILMEN:

Frachini, Carroll Litch
none
1/2 + Millard

Signed and approved this 10th day of Sept. 1940.

How Litch
MAYOR OF THE TOWN OF SAN ANSELMO.

F. L. Brown
CLERK OF THE TOWN OF SAN ANSELMO.

ATTEST: