

ORDINANCE NO. 144

REGULATING THE CUTTING, OPENING, AND EXCAVATING OF
STREETS IN THE TOWN OF SAN ANSELMO.

The Board of Trustees of the Town of San Anselmo do ordain as follows:

Section 1.- It shall be unlawful for any person to cut, open, excavate or tear up any portion of any street, lane, avenue or other public thoroughfare within the Town of San Anselmo for the purpose of laying, replacing or repairing any pipe, conduit or sewer therein, or for any other purpose whatsoever without first obtaining a permit therefor from and making a deposit with the Superintendent of Streets, as hereinafter provided.

Section 2.- Any person desiring to cut, open, excavate or tear up any portion of any street, lane, avenue or other public thoroughfare within the Town of San Anselmo for the purpose of laying, replacing or repairing any pipe, conduit or sewer therein, or for any other purpose whatsoever, shall before proceeding with said work, notify the Superintendent of Streets of the character and extent of the work proposed to be done and obtain from the Superintendent of Streets a permit to proceed with said work as the same shall be described in said permit.

Section 3.- The Superintendent of Streets, before issuing any such permit shall estimate the length of the proposed excavation or opening and shall require a deposit from the applicant for such permit of One (^{2⁰⁰}\$1.00) Dollar per running ^{square} foot of such cut, opening or excavation, which said deposit shall be held and applied by the Superintendent of Streets to defray the cost of back-filling and re-paving such opening or excavation as hereinafter provided.

Section 4.- The cutting, opening or excavating specified in said permit and the laying, replacing or repairing of any pipe, conduit or sewer therein, shall be done by the person receiving said permit, as directed by, and under the supervision and to the entire satisfaction of the Superintendent of Streets and immediately upon the completion of said work by the person doing the same, the Superintendent of Streets shall be notified of such completion and shall make a thorough inspection of said work and certify that the same is to his satisfaction. Where there is macadam, gravel or other surface dressing, on the line of such cut, opening or excavation, the same shall be kept in separate pipes from the earth, by the party making such cut, opening or excavation

Section 5.- All back-filling and re-paving of any such cut, opening or excavation shall be made by the Superintendent of Streets and in no event shall said work be done by the party to whom a permit was issued for the making of such cut, opening or excavation; and it is hereby expressly made the duty of the said Superintendent of Streets to do all the back filling of any such cut, opening or

excavation and to restore the pavement of the street to the same condition that it was at the time such cut, opening or excavation was made.

Section 6.- The Superintendent of Streets shall pay the cost of such back-filling and re-paving out of the amount of the deposit received by him upon granting the permit hereinabove provided for, and in computing said cost the said Superintendent of Streets shall charge as part thereof the sum of One and 50/100 ⁵² (\$1.50) Dollars for his services, and all other labor and all material shall be charged for at the reasonable value thereof; and upon completing such back-filling and re-paving, the said Superintendent of Streets shall return to the person from whom said deposit was received the balance remaining, if any, after paying the cost of such back-filling and re-paving.

In the event that the cost of such back-filling and re-paving shall be in excess of the amount of said deposit, the said Superintendent of Streets shall notify the person from whom said deposit was received of the amount of such excess, and such person shall pay the same to the Superintendent of Streets upon demand.

Section 7.- It shall be the duty of every person, before making connection with any public sewer, to apply to and have the Superintendent of Streets locate the "Y" branch nearest the place where such connection is proposed to be made, by driving a stake immediately over such "Y" branch. For such service the Superintendent of Streets shall demand and collect a fee of \$1.50 for each "Y" branch so located. No connection with any sewer shall be made except by such "Y" branch without ^{the} permission first obtained therefor from the Superintendent of Streets.

Section 8.- The word "person" wherever used in this ordinance shall include a partnership, firm, association or corporation, whether public or private, as well as a natural person.

Section 9.- Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Three Hundred (\$300.00) Dollars, or by imprisonment in the County Jail of the County of Marin, State of California for not more than ninety (90) days, or by both such fine and imprisonment.

Section 10.- Ordinance No. 22 and all other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 11.- This ordinance shall take effect and be in force thirty (30) days from and after its final passage.

Reginald Atherton
President of the Board of Trustees
of the Town of San Anselmo.

Attest

William H. Shadley Town Clerk.

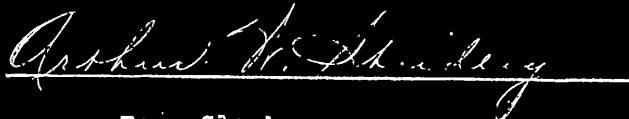
I, the undersigned, hereby certify that the foregoing ordinance was regularly introduced at a Regular Meeting of the Board of Trustees of the Town of San Anselmo, held March 5th, 1917 and thereafter finally passed and adopted at a Regular Meeting of said Board held April 2nd, 1917, by the following vote, to-wit:

Ayes, Trustees Kemp, Perry, Redpath, Latham and Atthowe.
Noes, None.-----Absnet, None.

I further certify that on Tuesday, April 3rd, 1917 I posted a copy of said ordinance on each of the three public places within said Town as follows:

One on the Bulletin Board in front of the Town Hall, One on the Bulletin Board at the entrance to Ross Valley Park, and one on the Bulletin Board at the corner of Ross Avenue and the Red Hill and Ross Landing Road.

In testimony whereof, I have hereunto set my hand and affixed the official seal of said Town this 3rd day of April, 1917.



Town Clerk.

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Section 4. The cutting, opening or excavating specified in said permit and

the laying, replacing or repairing of any pipe, conduit, or sewer therein, shall be done by the person receiving said permit, as directed by, and under the supervision and to the entire satisfaction of the Superintendent of Streets, and immediately upon the completion of said work by the person doing the same, the Superintendent of Streets shall be notified of such completion and shall make a thorough inspection of said work and certify that the same is to his satisfaction. Where there is macadam, gavel or other surface dressing, on the line of such cut, opening or excavation, the same shall be kept in separate piles from the earth, by the party making such cut, opening or excavation.

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R. ATTHOWE,
President of the Board of
Trustees of the Town of
San Anselmo.