

Passed Oct. 7, 1940.

ROGER N. ADDISON,
President of Council.

Approved Oct. 7, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 422-40—To appropriate additional money for repairs to the 6000 K. W., Westinghouse steam turbine-generator unit of the division of electricity.

Whereas, council, by ordinance No. 182-39, passed June 1, 1939, authorized the director of public service to enter into contract with the Westinghouse Electric & Manufacturing company, without advertising for bids and appropriated the sum of \$4,000 for the necessary repairs to said turbine-generator unit, and

Whereas, contract No. 9814 was entered into with the said Westinghouse Electric & Manufacturing company, and

Whereas, an inspection, after dismantling said turbine-generator unit, disclosed that repairs necessary to place said unit in satisfactory operating condition will exceed the original appropriation, and

Whereas, an emergency exists in the usual daily operation of the department of public service, division of electricity, in that said repairs must be completed without delay to restore said turbine-generator to service and for the immediate preservation of public health, peace, property and safety; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That from the monies now in the general fund, otherwise known as the "fund for general purposes", and from all monies estimated to come into said fund from any and all sources during the twelve months ending December 31, 1940, the additional sum of \$30,000, or so much thereof as may be necessary, be and is hereby appropriated to division of electricity No. 82 fund, code 300, for the purpose of paying the cost of repairs to the 6000 K. W., Westinghouse steam turbine-generator unit in the municipal light plant of the division of electricity.

Sec. 2. That the city auditor be and he is hereby authorized and directed to attach his certificate to contract No. 9814 with the Westinghouse Electric & Manufacturing company in the amount of said additional appropriation.

Sec. 3. That for the reason stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor.

Passed October 7, 1940.

ROGER N. ADDISON,
President of Council.

Approved October 7, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 423-40—To vacate a portion of North Star avenue, as herein set forth and described:

Whereas, on the 7th day of October, 1940, a petition by the owners of all the lots and lands bordering upon a 20 foot strip of the west side of North Star avenue lying along the east side of lot No. 12 of King avenue subdivision, and beginning at the north line of King avenue and extending to the south line of the alley north of King avenue, was presented to council praying that said portion of North Star avenue be vacated for the purpose of narrowing said North Star avenue; and,

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, that it will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the 20 foot strip of the west side of North Star avenue lying along the east side of lot No. 12 of King avenue subdivision, beginning at the north line of King avenue and

extending to the south line of the alley north of King avenue, be and the same is hereby vacated.

Sec. 2. That the city of Columbus hereby reserves the right to operate and maintain any and all sewers and water lines, or any other public utilities, if any, now existing in said portion of North Star avenue so vacated, and to enter thereon for the purpose of operating, repairing and maintaining the same.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed October 7, 1940.

ROGER N. ADDISON,
President of Council.

Approved October 7, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 424-40—To amend and supplement section 97 of the Columbus Code of 1930, chapter VII, department of public safety, division of building regulations, subdivision 1A—building code, and to repeal said original section 97.

Be it ordained by the council of the city of Columbus:

Section 1. That section 97 of the Columbus Code of 1930, chapter VII, department of public safety, division of building regulations, subdivision 1A—building code, be and the same is hereby amended and supplemented to read as follows:

"Sec. 97. PERMIT TO DEPOSIT BUILDING MATERIAL.

(a) No person, persons, firm or corporation or their agents or employes, shall in any way or manner use any of the public streets in the city of Columbus, Ohio, or any other space belonging to said city, by depositing building material thereon or otherwise, without first securing a permit so to do from the inspector of buildings of said city. Permits for the said use of said public streets and other spaces belonging to said city shall not be granted for a longer time than four months, but may be renewed from time to time for periods not exceeding four months. All applications for said permits must describe the space so to be used and the length of time the space is to be used. The amount of space to be used shall be fixed by the said inspector of buildings.

(b) Building material shall not be deposited nearer the street car tracks than four feet, or within ten feet of any fire cistern or hydrant. The gutters shall be kept clean and free from all obstruction. No lime or cement mortar, or concrete shall be mixed upon any of the streets, alleys or sidewalks in the city of Columbus, except in boxes, the bottoms of which must be tight tongued and grooved boards, placed upon four-inch bearer or sleepers, leaving an air space, and protected on all sides by a margin of two-inch boards, not less than six inches high, above the floor space.

Upon the completion of the work in which said mortar boxes are used, as above provided, the street, sidewalk or alley shall be thoroughly cleaned and all mortar, sand or gravel or refuse matter and building materials of every kind shall be completely removed. Whenever any of said public streets or said other spaces are used, as provided by the terms of this chapter, the person, persons, firm or corporation or their agents or employes, as the case may be, shall place and keep thereon, from sunset to sunrise, a lighted lantern with red glass, and whenever the space occupied exceeds ten feet in length or breadth, one such lantern shall be placed at each end thereof.

(c) Whenever any person, persons, firm or corporation shall be about to erect, change or repair any building within five feet of the line of traveled street, said person, persons, firm or corporation shall build and maintain a temporary sidewalk (or bridge if there is an area under permanent sidewalk) in front of said building.

The sidewalk shall be constructed in such location and in such a manner as the said inspector of buildings shall direct, and when the said building is more than one story high the said sidewalk or bridge shall be roofed and provided with barricades so as to completely protect passersby. A lighted lantern of red glass shall be hung at each end of the same at all times between sunset and sunrise.

(d) Each applicant for a permit to deposit building material or otherwise use any of the public streets or other space belonging to the city of Columbus, in connection with the wrecking, alteration, repair or erection of any structure, shall pay to the inspector of buildings a fee for such permit in the sum of two cents for each square foot of street or other such space to be used, provided, however, that in no case shall the fee be less than two dollars.

It shall be the duty of the person, persons, firm, or corporation to whom a permit to deposit building material or occupy space has been issued, to clean up and restore such space as has been used under the permit to its original condition and in a manner satisfactory to the inspector of buildings. Should any person, persons, firm, or corporation to whom such a permit has been issued fail to clean up or restore such space to its original condition within ten days after having received written notice from the inspector of buildings so to do, a copy of which notice shall be mailed to the owner of the property in front of, to the side of, or in the rear of which such space is occupied, the inspector of buildings shall cause such work, as is necessary to restore the space so occupied to its original condition, to be done. The expense which the inspector of buildings incurs thereby shall be charged to the person or persons owning the property in front of, to the side of, or in the rear of which said material is deposited or space is occupied.

Upon the completion of said work, the inspector of buildings shall mail a statement of account by registered mail to the property owner, his agent, or person in charge, and if payment therefor is not made within ten days from the date that the notice is sent, the inspector of buildings shall certify the cost thereof to the city auditor, who, in turn, shall charge the same against the property involved and it shall be added to the tax duplicate and shall become a lien against the property for the amount of said bill.

It shall be unlawful for any person, persons, firm or corporation to whom a permit to deposit building material or occupy space has been issued to fail or neglect to clean up and restore such space as has been used under such permit to its original condition, and in a manner satisfactory to the inspector of buildings, within ten days after having received written notice from the inspector of buildings so to do. Any person, persons, firm, or corporation, and any agent, officer or employe thereof, who shall disregard this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than one hundred dollars nor more than five hundred dollars, or imprisoned not less than ninety days, or both.

(e) No advertising shall be placed on any fence, sidewalk, or bridge, erected under the provisions of this section, except the name of the building, the owner thereof, the architects, engineer or contractors.

(f) The said inspector of buildings shall have the right and privilege of revoking any permit for the occupancy of street or space, should the public use of such street or space demand the same and the person, persons, firm or corporation to whom such permit was issued shall remove the material upon said street or space and restore the same to its former condition within ten days after having been notified to do so by the inspector of buildings.