

ORDINANCE NO. 176

AN ORDINANCE PROHIBITING THE ERECTION, CONSTRUCTION OR PLACING OF ANY BUILDING, FENCE, GASOLINE PUMP OR DISPENSER OR OBSTRUCTION OF ANY KIND WHATSOEVER UPON ANY STREET, ALLEY, SIDEWALK OR OTHER PUBLIC GROUND WITHIN THE CITY OF POLSON, AND PROVIDING FOR THE REMOVAL OF ANY SUCH OBSTRUCTIONS AND PROVIDING A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON:

Section 1. No person shall erect, construct or place or cause to be placed, constructed or erected any building, fence, gasoline pump or dispenser or obstruction of any kind whatsoever, in whole or in part, upon any street, alley, sidewalk or other public ground within this City.

Section 2. The owner of any building, fence, gasoline pump or dispenser or other obstruction of any kind whatsoever, now standing or which may be hereafter erected or constructed or placed upon any street, alley, sidewalk or other public ground within this City, shall remove the same upon being required to do so by a notice from the Mayor, Street Commissioner or Chief of Police.

For every violation of this Section the offender shall, upon conviction, be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00) and an additional sum of not exceeding One Hundred Dollars (\$100.00) for every day that he shall continue in such violation after conviction thereof.

Section 3. Whenever the owner of any building, fence, gasoline pump or dispenser or other obstruction standing or encroaching upon any street, alley, sidewalk or public grounds in this City, shall refuse or neglect to remove the same after notice as provided in the foregoing Section, the same shall be deemed a nuisance and it shall be lawful for the Mayor to cause the same to be removed or taken down in his discretion, and the cost thereof shall be added to the penalty prescribed in the preceding Section, and every person who shall oppose or resist the execution of the orders of the Mayor made in persuance hereof shall, upon conviction, be fined not less than One Dollar (\$1.00) and not more than One Hundred Dollars (\$100.00).

Section 4. It is hereby declared that an emergency exists and this Ordinance shall be in full force and effect immediately upon its passage and approval and posting according to law.

Passed by the City Council and approved by the Mayor this 6th day of May, 1935.

J. H. Cline
Mayor

R. B. Davidson,
City Clerk

AFFIDAVIT OF POSTING

State of Montana,)
County of Lake,) ss.

R. B. Davidson, being first duly sworn deposes and says:
That he is the City Clerk of the City of Polson, Montana;
That on the 8th day of May, 1935, in accordance with an
ordinance of said City requiring copies of all ordinances
and Resolutions to be Posted, he posted copies of Ordinance
No. 176 in three of the most public places in said city of
Polson, Montana, That all of said copies were full true
and correct copies of Ordinance No. 176 and of the whole
thereof.

R. B. Davidson

Subscribed and sworn to before me this 9th day of May,
1935.

Lloyd I. Wallace

Notary Public for the State of Mont.
Residing at Polson, Montana.
My Commission expires Aug. 1, 1937.