

ORDINANCE NO 12, 1917,  
RELATING TO THE REGULATION OF THE USE AND OCCUPANCY OF STREETS,  
ALLEYS AND PUBLIC GROUNDS FOR THE PURPOSE OF INSTALLING WATER,  
SEWER, GAS AND OTHER SERVICES, AND ALSO THE OCCUPANCY OF STREETS,  
ALLEYS AND PUBLIC GROUNDS FOR BUILDING OR OTHER PURPOSES

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS

Section 1 It shall be unlawful for any person, persons or corporation to occupy, use or make excavations in any street, alley or public ground within the corporate limits of the City of Fort Collins, without first having obtained a permit so to do from the Department of Public Works, and depositing with the Commissioner of Public Works the sum of money required, based upon an estimate made by the said Commissioner of Works upon the application filed for said permit, Provided, this section shall not apply to any corporation or public utility having a franchise within the corporate limits of the City of Fort Collins giving said corporation the right to erect poles and posts for the purpose of maintaining and operating the utility owned by it

Section 2 Before any person, persons or corporation shall have the right to have any excavation made in any street, alley or public ground of the City of Fort Collins, except as provided in Section 1 hereof, he, they or it shall file a written application with the Department of Public Works for permit to make such excavation, which said application shall state specifically and illustrate by sketch or plan the exact location, depth, extent and nature of the proposed excavation, it shall also state the purpose for which the permit is requested and when required to be completed, which application shall be so filed as to give not less than twenty-four (24) hours' notice, holidays and Sundays excluded, when the work shall be commenced Upon filing said application, the Commissioner of Works, or his assistant, shall immediately make an estimate of the cost of said proposed work, including all tap and license fees, and the sum so determined shall be deposited with said application The cost to the applicant shall be the exact cost of the labor, material, and any

unused portion of the estimated cost shall be returned to the applicant and the actual cost paid to the City Clerk and by him placed to the credit of a special fund to be known as the "Street Excavation Fund "

Section 3 The Commissioner of Public Works, or his assistant, shall thereupon issue duplicate receipts for all money received on this account, one of which said receipts shall be delivered to the person making application and the other kept on file in the office of the Commissioner of Works It shall be the duty of the Commissioner of Works to furnish a statement of all labor and material bills on demand of the person or corporation having said work done, and shall keep such cost bills on file in the office of the Commissioner of Public Works for a period of not less than one year

Section 4 When any work ordered under said permit has been completed, the person or corporation who has made the deposit with the Commissioner of Public Works for said work may withdraw any surplus on account of said deposit over and above the actual cost of the labor and materials by giving a receipt in full of all claims and demands against the City on account of said deposit

Section 5 The Commissioner of Public Works may at his election make a settlement and determination of all accounts for excavating in streets within ten days from the completion of said work, but all accounts of excavation in paved or graveled streets must remain for one year from date of completion before settlement can be required from the Commissioner of Works

Section 6 No excavation shall be made in any street, alley or public ground more than two blocks in length at any one time, except by special permit from the Department of Public Works

Section 7 In all cases where excavations are made entirely across streets, alleys or public grounds, a substantial driveway shall be constructed and maintained until such excavation is refilled and approved by the Department of Public Works In making any excavation in the streets,

alleys or public grounds, the surface material and earth removed must be kept separate and deposited in a manner that will occasion the least inconvenience to the public, with proper provision for surface drainage and a safe passageway for travel. All excavations and trenches made in streets, alleys or public grounds, shall be refilled as soon as the work is completed, in thin layers not exceeding six (6) inches in depth, firmly rammed with a rammer weighing not less than one pound per square inch of surface of the end thereof, until the excavation is filled up to the proper line for placing the wearing surface of the pavement thereon.

Section 8 If the amount deposited by the holder of a permit is insufficient to pay the entire expense of replacing any paving or surface materials in as good condition as before making the excavation, the person to whom such permit to excavate was issued shall, within ten days, pay to the Commissioner of Works the amount of such deficiency after due notice in writing from the Department of Public Works of the amount thereof.

Section 9 It shall be unlawful to tunnel under any paved street, alley or public ground, and any excavation in any paved street, alley or public ground shall be by continuous trench.

Section 10 It shall be unlawful for any city employee, officer, or any person whomsoever within the corporate limits of the City of Fort Collins, to dig any hole or make any excavation, drain or ditch in any street, alley or public ground without providing during the night time sufficient red lights to be placed, with a temporary fence or suitable obstruction around or in front of such hole, excavation, drain or ditch, in order to prevent persons, animals or vehicles from running into the same.

Section 11 It shall be unlawful for any person, firm or corporation to dig up, open or excavate, or cause to be dug up, opened or excavated, any street, alley or public place within the City of Fort Collins for the purpose of laying ties or rails of any railroad thereon, or laying or causing to be laid any railroad track or ties or part of the structure or material therefor, in, along or upon any street, alley or public ground.

within the corporate limits of said city, without having first obtained a permit therefor from the Department of Public Works of said city

Section 12 It shall be unlawful for any person or corporation to lay any gas pipe or any service pipe for any purpose in the streets, alleys or public grounds within the corporate limits of the City of Fort Collins which shall in any manner interfere with the drainage of said streets, alleys or public grounds, or in the construction of the sewers or water pipes in said streets, alleys and public grounds, and all persons and corporations making excavations in said streets, alleys and public grounds for mains or service pipes for any purpose, shall protect the same by proper safeguards during the daytime and at night with red lights, and shall be liable for all damages for failure to so observe this regulation

Section 13 It shall be unlawful for any person or corporation to lay any gas mains or any other form of conduit, parallel with and over any water mains or in the same trench as water mains, and all excavations for gas mains or service pipes or other conduit pipes, shall be laid under the supervision of the Department of Public Works, and it shall be unlawful for any person or corporation to lay any such mains or service pipe without first having obtained a permit therefor from the Department of Public Works

Section 14 It shall be unlawful for any person or persons or corporation in any manner to encumber or obstruct any street, alley, sidewalk or public ground within the corporate limits of the City of Fort Collins, or to erect any building, in whole or in part, upon any street, alley, sidewalk or public ground, or to occupy a part of any street, alley or public ground for the purpose of erecting or constructing any building upon the lots or lands abutting upon any street, alley or public ground, or for the purpose of making any improvement in connection with any lot or land abutting upon any street, alley or public ground, unless a permit be obtained therefor as hereinafter provided

Section 15 Any person, persons or corporation who may desire to secure a permit for the occupation of any street, alley or public

ground for the purpose of using the same in connection with the erection of construction of any building or other improvement upon the lot or lands abutting or adjacent to said street, alley or public ground, shall make application therefor in writing to the Commissioner of Public Works, in which application shall be described the street, alley or public ground sought to be occupied, the purpose of such occupancy and the period of time required for such occupancy, not to exceed \_\_\_\_\_ days, which said application shall be signed by the owner of the lot or land upon which the improvements are to be constructed, or the contractor and builder having charge of such work, said application shall provide that if the permit is issued to the application, said applicant will comply with all the rules and regulations prescribed by the Department of Public Works respecting the occupancy of said street, alley or public ground, and the provisions of this ordinance and all other ordinances in force in the City of Fort Collins concerning the occupancy and use of the streets for the purposes named in said permit With said permit the applicant shall file a bond in the penal sum of \_\_\_\_\_ Dollars in favor of the City of Fort Collins, with the sureties to be approved by the Commissioner of Public Works, conditioned that if a permit is granted that the applicant so receiving such permit will save the City of Fort Collins harmless for and on account of any damages which may accrue to any person or persons or corporation by reason of any injuries sustained caused by the negligent use and occupation of the street by said applicant

Section 16 Upon approval of the application and bond required by Section 15 herein, the Commissioner of Works is hereby authorized to issue a permit in the following form, and under the conditions therein named

CITY OF FORT COLLINS, COLORADO

Permit for Occupation of Street

Application having been duly made for a permit to occupy  
Street upon the form prescribed in Section 15 of  
Ordinance No \_\_\_\_\_, 1917, for a permit to occupy \_\_\_\_\_

Street by \_\_\_\_\_, and the said \_\_\_\_\_ having duly filed a bond and the same having been approved by the Commissioner of Works, permission is hereby granted to said \_\_\_\_\_ to occupy \_\_\_\_\_ Street for a period not to exceed \_\_\_\_\_ days from the date hereof, for building purposes or other improvements to be made upon Lot \_\_\_\_\_, Block \_\_\_\_\_, within the City of Fort Collins, and upon the express condition that said \_\_\_\_\_ shall at all times erect and maintain proper guard rails around the material occupying the street during the entire period of such occupancy, and shall provide walks around said material not less than four (4) feet in width during said period, and shall maintain signal lights at all points of danger and keep and maintain such lights burning all of each and every night during such period of occupancy, and further provided that said \_\_\_\_\_ in erecting said guard rails and providing said walks shall in all respects conform to the requirements which may be fixed by the Department of Public Works in using and occupying the street during said period, and when said period shall have expired the said \_\_\_\_\_ will in all respects restore the street, alley or public ground to its former condition before such occupancy, and to the satisfaction of the Commissioner of Public Works

This permit is issued upon the express condition that it shall be subject to revocation by the Commissioner of Public Works upon good cause shown for violating any of the provisions of said Ordinance No \_\_\_\_\_, 1917, or of this permit

In Witness Whereof, the Commissioner of Public Works has hereunto set his hand at Fort Collins, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, A D 19 \_\_\_\_\_

\_\_\_\_\_  
Commissioner of Public Works

It shall be the duty of the Commissioner of Public Works to have said permit printed and bound in book form so as to preserve a duplicate thereof, and be prepared at all times to advise the City Council of all permits outstanding under the provisions of this ordinance

Section 17 Any person or persons or corporation having a permit under the provisions of this ordinance who shall fail or refuse to remove any materials or rubbish from any street, alley or public ground within five days after the completion of the building or improvements provided for in said permit, or after due notice from the Commissioner of Public Works, it shall be lawful for the Commissioner of Public Works to have said building material and rubbish removed and the expense thereof shall be paid by the person or corporation having said permit, and in the event of the failure or refusal of the holder of the permit to pay said expense so incurred by the Department of Public Works, the same may be recovered by suit in behalf of the City of Fort Collins in any court of competent jurisdiction

Section 18 If brick, stone, or other building material, or rubbish, is placed within the allotted space, it must be so placed as not to interfere in any manner with the free passage of water in the gutters All fire hydrants must be kept clear of all building material and rubbish, and easy access to such hydrant from the roadway must be provided and kept clear at all times

Section 19 It shall be unlawful for any person, persons or corporation to use or occupy any street, alley or public ground for the purpose of moving building across or thereon, without first having obtained a permit therefor from the Department of Public Works Said permit shall be issued only upon a written application therefor by the person, persons or corporation so desiring to use or occupy the street for moving purposes, and upon a form to be prescribed by the Commissioner of Public Works Any permit which may be issued under the provisions of this section shall provide that it is issued upon the express condition that the person or persons to whom it is issued expressly agree to save the City of Fort Collins harmless on account of any damage or injury to the street, alley or public ground so used, and on account of any damage or injury that may be sustained by any person or persons by reason of the use and occupancy of the street by the person so obtaining a permit, and shall file a bond to be approved by the Commissioner of Public Works in the sum of One Thousand Dollars (\$1,000), with sureties to be approved by said Commissioner of Public Works, containing the condition herein prescribed

Section 20 No permit issued under the provisions of this ordinance for the occupancy of a street for building purposes or other improvements, upon the property adjoining said street, alley or public ground, shall provide for the occupancy of said street of more than one half thereof during the existence of said permit

Section 21 It shall be unlawful for any person, persons or corporation to make any excavation or opening under any sidewalk upon any

street, alley or public ground of the City of Fort Collins, for the purpose of installing permanent areaways thereunder, without first obtaining a right so to do from the City Council, and no such right or privilege shall be granted by the City Council except upon written application therefor and upon conditions to be prescribed by the City Council respecting the continued occupancy and use of such areaways after the same have been constructed

Section 22 It shall be unlawful for any person, persons or corporation to place, or assist in placing, or cause to be placed, upon any street, alley or public ground, or upon the track of any street or steam railroad within the corporate limits of the City of Fort Collins, any construction material, rubbish, vehicles, farm machinery or other obstructions whatever

Section 23 It shall be unlawful for any person, persons, or corporation to permit any material, rubbish, dirt, vehicle, farm machinery, wagons, boxes, stoops, steps, galleries, platforms, doors, sign posts, hitching posts, stands, booths or railings, or any other article whatsoever, upon or over any sidewalk, street, alley or public ground within the corporate limits of the City of Fort Collins, and any person who shall cause or permit any such obstruction aforesaid to be erected upon any sidewalk, street, alley or public ground within the corporate limits of the City of Fort Collins, shall upon proper notice in writing from the Department of Public Works, in not less than five (5) days cause said obstruction to be removed, and in the event the person, persons or corporation so notified to remove said obstructions shall fail to comply with said notice, it shall be the duty of the Department of Public Works to remove or cause to be removed all such obstructions upon the sidewalk, street, alley or public ground, and the cost and expense thereof shall be paid by the person so violating the provisions of this ordinance

Section 24 Any person, persons or corporation who shall be found guilty of the violation of any of the provisions of this ordinance



shall, upon conviction thereof, be fined in a sum not less than Five Dollars (\$5) nor more than One Hundred Dollars (\$100) and costs of suit

Section 25 All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, but this repealing clause shall not in any manner affect any change of action which may have accrued in favor of the city as against any person or corporation for violation of the ordinance or ordinances repealed, but the same may be prosecuted as if no repeal had been made

Introduced, read first time and ordered published this 16th day of April, A D 1917

Passed and adopted this 30th day of April, A D 1917

/s/ Samuel H Clammer  
Commissioner of Safety and  
Ex Officio Mayor

ATTEST

/s/ Ray Baxter  
City Clerk

STATE OF COLORADO )  
                          ) ss  
COUNTY OF LARIMER )

I, Ray Baxter, City Clerk of the City of Fort Collins, do hereby certify that the foregoing ordinance, consisting of twenty-four (24) sections, was duly proposed and read at length at a meeting of the City Council held on the 16th day of April, A D 1917, and was duly ordered by Aye and Nay vote to be published once in full in the Fort Collins Courier, a daily newspaper of the City of Fort Collins, in accordance with the provisions of Section 7 of Article IV of the City Chapter, that thereafter and on to-wit, the 2nd day of May, A D 1917, at a regular meeting of the City Council, said ordinance came before said Council upon its final passage, a period of more than ten days

having elapsed since its publication as above set forth, and that said ordinance was upon second reading duly adopted as an ordinance and duly numbered 12, and that thereafter and on to-wit, the 2nd day of May, A D 1917, said Ordinance No 12 as finally passed and adopted was duly published in the Fort Collins Courier, a daily newspaper published in the City of Fort Collins, Colorado

In Witness Whereof, I have hereunto set my hand this 2nd day of May, A D 1917

/s/ Ray Baxter  
City Clerk

## ORDINANCE NO 12, 1917

RELATING TO THE REGULATION OF THE USE AND OCCUPANCY OF STREETS,  
ALLEYS AND PUBLIC GROUNDS FOR THE PURPOSE OF INSTALLING WATER,  
SEWER GAS AND OTHER SERVICES AND ALSO THE OCCUPANCY OF STREETS,  
ALLEYS AND PUBLIC GROUNDS FOR BUILDING OR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS

Section 1 It shall be unlawful for any person persons  
or corporation to occupy use or make excavations in any street  
alley or public ground within the corporate limits of the City of  
Fort Collins without first having obtained a permit so to do from the  
Department of Public Works, and depositing with the Commissioner  
of Public Works the sum of money required based upon an estimate  
made by the said Commissioner of Works upon the application filed  
for said permit, Provided this section shall not apply to any  
corporation or public utility having a franchise within the corporate  
limits of the City of Fort Collins giving said corporation the right  
to erect poles and posts for the purpose of maintaining and operating  
the utility owned by it

Section 2 Before any person persons or corporation shall  
have the right to have any excavation made in any street alley or  
public ground of the City of Fort Collins except as provided in  
Section 1 hereof he they or it shall file a written application  
with the Department of Public Works for permit to make such excavation  
which said application shall state specifically and illustrate by  
sketch or plan the exact location, depth extent and nature of the  
proposed excavation it shall also state the purpose for which the  
permit is requested and when required to be completed, which applica-  
tion shall be so filed as to give not less than twenty-four (24)

hours notice holidays and Sundays excluded when the work shall be commenced Upon filing said application, the Commissioner of Works, or his assistant, shall immediately make an estimate of the cost of said proposed work, including all tap and license fees, and the sum so determined shall be deposited with said application The cost to the applicant shall be the exact cost of the labor material and any unused portion of the estimated cost shall be returned to the applicant and the actual cost paid to the City Clerk and by him placed to the credit of a special fund to be known as the "Street Excavation Fund "

Section 3 The Commissioner of Public Works, or his assistant, shall thereupon issue duplicate receipts for all money received on this account, one of which said receipts shall be delivered to the person making application and the other kept on file in the office of the Commissioner of Works It shall be the duty of the Commissioner of Works to furnish a statement of all labor and material bills on demand of the person or corporation having said work done and shall keep such cost bills on file in the office of the Commissioner of Public Works for a period of not less than one year

Section 4 When any work ordered under said permit has been completed, the person or corporation who has made the deposit with the Commissioner of Public Works for said work may withdraw any surplus on account of said deposit over and above the actual cost of the labor and materials by giving a receipt in full of all claims and demands against the City on account of said deposit

Section 5 The Commissioner of Public Works may at his election make a settlement and determination of all accounts for excavation in streets within ten days from the completion of said work, but all accounts of excavation in paved or graveled streets must remain for one year from date of completion before settlement can be required from the Commissioner of Works

Section 6 No excavation shall be made in any street, alley or public ground more than two blocks in length at any one time, except by special permit from the Department of Public Works

Section 7 In all cases where excavations are made entirely across streets alleys or public grounds a substantial driveway shall be constructed and maintained until such excavation is refilled and approved by the Department of Public Works In making any excavation in the streets alleys or public grounds the surface material and earth removed must be kept separate and deposited in a manner that will occasion the least inconvenience to the public with proper provision for surface drainage and a safe passageway for travel All excavations and trenches made in streets, alleys or public grounds shall be refilled as soon as the work is completed, in thin layers not exceeding six (6) inches in depth firmly rammed with a rammer weighing not less than one pound per square inch of surface of the end thereof until the excavation is filled up to the proper line for placing the wearing surface of the pavement thereon

Section 8 If the amount deposited by the holder of a permit is insufficient to pay the entire expense of replacing any paving or surface materials in as good condition as before making the excavation, the person to whom such permit to excavate was issued shall, within ten days, pay to the Commissioner of Works the amount of such deficiency after due notice in writing from the Department of Public Works of the amount thereof

Section 9 It shall be unlawful to tunnel under any paved street alley or public ground, and any excavation in any paved street, alley or public ground shall be a continuous trench

Section 10 It shall be unlawful for any city employe, officer or any person whomsoever within the corporate limits of the City of Fort Collins to dig any hole or make any excavation **drain**

or ditch in any street, alley or public ground without providing during the night time sufficient red lights to be placed, with a temporary fence or suitable obstruction around or in front of such hole, excavation, drain or ditch, in order to prevent persons, animals or vehicles from running into the same

Section 11 It shall be unlawful for any person, firm or corporation to dig up open or excavate or cause to be dug up, opened or excavated, any street alley or public place within the City of Fort Collins for the purpose of laying ties or rails of any railroad thereon or laying or causing to be laid any railroad track or ties or part of the structure or material therefor, in, along or upon any street alley or public ground within the corporate limits of said city, without having first obtained a permit therefor from the Department of Public Works of said city

Section 12 It shall be unlawful for any person or corporation to lay any gas pipe or any service pipe for any purpose in the streets, alleys or public grounds within the corporate limits of the City of Fort Collins which shall in any manner interfere with the drainage of said streets alleys or public grounds, or in the construction of the sewers or water pipes in said streets alleys and public grounds and all persons and corporations making excavations in said streets alleys and public grounds for mains or service pipes for any purpose, shall protect the same by proper safeguards during the daytime and at night with red lights, and shall be liable for all damages for failure to so observe this regulation

Section 13 It shall be unlawful for any person or corporation to lay any gas mains or any other form of conduit, parallel with and over any water mains or in the same trench as water mains, and all excavation for gas mains or service pipes or other conduit pipes, shall be laid under the supervision of the

Department of Public Works, and it shall be unlawful for any person or corporation to lay any such mains or service pipe without first having obtained a permit therefor from the Department of Public Works

Section 14 It shall be unlawful for any person or persons or corporation in any manner to encumber or obstruct any street, alley, sidewalk or public ground within the corporate limits of the City of Fort Collins, or to erect any building, in whole or in part, upon any street alley, sidewalk or public ground or to occupy a part of any street alley or public ground for the purpose of erecting or constructing any building upon the lots or lands abutting upon any street, alley or public ground, or for the purpose of making any improvement in connection with any lot or land abutting upon any street alley or public ground, unless a permit be obtained therefor as hereinafter provided

Section 15 Any person, persons or corporation who may desire to secure a permit for the occupation of any street alley or public ground for the purpose of using the same in connection with the erection or construction of any building or other improvement upon the lot or lands abutting or adjacent to said street, alley or public ground, shall make application therefor in writing to the Commissioner of Public Works, in which application shall be described the street, alley or public ground sought to be occupied, the purpose of such occupancy and the period of time required for such occupancy, not to exceed \_\_\_\_\_ days, which said application shall be signed by the owner of the lot or land upon which the improvements are to be constructed, or the contractor and builder having charge of such work, said application shall provide that if the permit is issued to the application, said applicant will comply with all the rules and regulations prescribed by the Department of Public Works, respecting the occupancy of

of said street alley or public ground, and the provisions of this ordinance and all other ordinances in force in the City of Fort Collins concerning the occupancy and use of the streets for the purposes named in said permit With said permit the applicant shall file a bond in the penal sum of \_\_\_\_\_ Dollars in favor of the City of Fort Collins, with sureties to be approved by the Commissioner of Public Works, conditioned that if a permit is granted that the applicant so receiving such permit will save the City of Fort Collins harmless for and on account of any damages which may accrue to any person or persons or corporation by reason of any injuries sustained caused by the negligent use and occupation of the street by said applicant

Section 16 Upon approval of the application and bond required by Section 15 herein, the Commissioner of Works is hereby authorized to issue a permit in the following form, and under the conditions therein named

CITY OF FORT COLLINS, COLORADO

Permit for Occupation of Street

Application having been duly made for a permit to occupy \_\_\_\_\_ Street upon the form prescribed in Section 15 of Ordinance No \_\_\_\_\_, 1917, for a permit to occupy \_\_\_\_\_ Street by \_\_\_\_\_, and the said \_\_\_\_\_ having duly filed a bond and the same having been approved by the Commissioner of Works, permission is hereby granted to said \_\_\_\_\_ to occupy \_\_\_\_\_ Street for a period not to exceed \_\_\_\_\_ days from the date hereof, for building purposes or other improvements to be made upon Lot \_\_\_\_\_, Block \_\_\_\_\_, within the City of Fort Collins, and upon the express condition that said \_\_\_\_\_ shall at all times erect and maintain proper guard rails around the material occupying the street during the entire period of such occupancy, and shall provide walks around said material not less than four (4) feet in width during said period, and shall maintain signal lights at all points of danger and keep and maintain such lights burning all of each and every night during such period of occupancy, and further provided that said \_\_\_\_\_ in erecting said guard rails and providing said walks shall in all respects conform to the requirements which may be fixed by the Department of Public Works in using and occupying the street during said period, and when said period shall have expired the said \_\_\_\_\_ will in all respects restore the street \_\_\_\_\_ alley or public ground to its former condition before such occupancy and to the satisfaction of the Commissioner of Public Works

This permit is issued upon the express condition that it shall be subject to revocation by the Commissioner of Public Works upon good cause shown for violating any of the provisions of said Ordinance No \_\_\_\_\_, 1917, or of this permit



In Witness Whereof, the Commissioner of Public Works has hereunto set his hand at Fort Collins, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, A D 19\_\_\_\_

\_\_\_\_\_  
Commissioner of Public Works

It shall be the duty of the Commissioner of Public Works to have said permit printed and bound in book form so as to preserve a duplicate thereof, and be prepared at all times to advise the City Council of all permits outstanding under the provisions of this ordinance

Section 17 Any person or persons or corporation having a permit under the provisions of this ordinance who shall fail or refuse to remove any materials or rubbish from any street, alley or public ground within five days after the completion of the building or improvement provided for in said permit, or after due notice from the Commissioner of Public Works, it shall be lawful for the Commissioner of Public Works to have said building material and rubbish removed and the expense thereof shall be paid by the person or corporation having said permit, and in the event of the failure or refusal of the holder of the permit to pay said expense so incurred by the Department of Public Works, the same may be recovered by suit in behalf of the City of Fort Collins in any court of competent jurisdiction

Section 18 If brick, stone, or other building material, or rubbish, is placed within the allotted space, it must be so placed as not to interfere in any manner with the free passage of water in the gutters All fire hydrants must be kept clear of all building material and rubbish, and easy access to such hydrant from the roadway must be provided and kept clear at all times

Section 19 It shall be unlawful for any person, persons or corporation to use or occupy any street, alley or public ground for the purpose of moving building across or thereon, without first having obtained a permit therefor from the Depart-

ment of Public Works Said permit shall be issued only upon a written application therefor by the person, persons or corporation so desiring to use or occupy the street for moving purposes, and upon a form to be prescribed by the Commissioner of Public Works Any permit which may be issued under the provisions of this section shall provide that it is issued upon the express condition that the person or persons to whom it is issued expressly agree to save the City of Fort Collins harmless on account of any damage or injury to the street, alley or public ground so used and on account of any damage or injury that may be sustained by any person or persons by reason of the use and occupancy of the street by the person so obtaining a permit, and shall file a bond to be approved by the Commissioner of Public Works in the sum of One Thousand Dollars (\$1,000 00) with sureties to be approved by said Commissioner of Public Works, containing the condition herein prescribed

Section 20 No permit issued under the provisions of this ordinance for the occupancy of a street for building purposes or other improvements, upon the property adjoining said street, alley or public ground, shall provide for the occupancy of said street of more than one half thereof during the existence of said permit

Section 21 It shall be unlawful for any person persons or corporation to make any excavation or opening under any sidewalk upon any street alley or public ground of the City of Fort Collins, for the purpose of installing permanent areaways thereunder without first obtaining a right so to do from the City Council, and no such right or privilege shall be granted by the City Council except upon written application therefor and upon conditions to be prescribed by the City Council respecting the continued occupancy and use of such areaways after the same have been constructed

Section            It shall be unlawful for any person, persons or corporation to place, or assist in placing, or cause to be placed, upon any street, alley or public ground, or upon the track of any street or steam railroad within the corporate limits of the City of Fort Collins, any construction material, rubbish, vehicles, farm machinery or other obstructions whatever

Section 23        It shall be unlawful for any person, persons or corporation to permit any material, rubbish, dirt, vehicle farm machinery, wagons boxes stoops steps, galleries platforms, doors, sign posts hitching posts stands booths or railings, or any other articles whatsoever, upon or over any sidewalk, street, alley or public ground within the corporate limits of the City of Fort Collins, and any person who shall cause or permit any such obstruction aforesaid to be erected upon any sidewalk, street, alley or public ground within the corporate limits of the City of Fort Collins, shall upon proper notice in writing from the Department of Public Works, in not less than five (5) days cause said obstruction to be removed, and in the event the person, persons or corporation so notified to remove said obstructions shall fail to comply with said notice, it shall be the duty of the Department of Public Works to remove or cause to be removed all such obstructions upon the sidewalk, street, alley or public ground, and the cost and expense thereof shall be paid by the person so violating the provisions of this ordinance

Section 24        Any person, persons or corporation who shall be found guilty of the violation of any of the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not less than five dollars (\$5 00) nor more than one hundred dollars (\$100 00) and costs of suit

Section 25        All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed but this repealing clause shall not in any manner affect any cause of action which may have accrued in favor of the city as against any person or corporation

for violation of ordinance or ordinances repealed but the  
same may be prosecuted as if no repeal had been made

Introduced, read first time and ordered published this  
16th day of April, A D 1917

Passed and adopted this 30th day of April, A D 1917

(Signed) SAMUEL H CLAMAR  
Commissioner of Safety and  
Ex Officio Mayor

ATTEST

(Signed) RAY BAXTER  
City Clerk