

ORDINANCE NO. 26-52

By Mr. [Signature]

Prohibiting the use of steam or power shovels for excavating or digging in streets.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. ^{As amended hereinafter provided.} It shall be unlawful for any person to use or operate, or cause to be used or operated any steam shovel or other power digging appliance or machine for digging or excavating below the established or existing curb grade in any street or highway, or below the established or existing grade of any alley, in the City of Bexley, Ohio

Provided, however, this section shall not apply in the case of the construction ^{and return} of public improvements in such streets, highways or alleys.

Section 2.

(A) Due to the problems of getting hand labor, owners of such power operated machines may apply at the City offices to permit the use of such machines outside of the lot line. If permission is given, it will be necessary for such owner to deposit with the City of Bexley a minimum of \$25.00, to insure cost or part thereof to replace or repair any damages to any or all of the following utilities.

(B) This permit must be obtained from the Inspector of Building, the Acting Inspector, his Clerk, or the Mayor, before any work is started outside of the lot line, and the issuance of same does not in any way relieve the owner or operator of such machine from the payment of any damages to any of the herewith listed utilities.

(C) Sewers, water lines, gas lines, cables, trees, lamp standards, signs, sidewalks, curbs, street, or any other utility that may be within the area above mentioned. When excavation is in progress, it is the duty of the owner or operator to protect these hazards with barricades, and well lighted with red lights at night. Settlement of trenches that have been filled and then settled will come within the scope of this ordinance.

(D) The deposit of \$25.00 or more or any portion thereof will be returned to depositor on return of receipt after any liability or responsibility ceases to exist in the opinion of the Mayor.

Section 3. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined not less than \$10.00 nor more than \$50.00, together with the costs of prosecution.

Section 4. This ordinance repeals Ordinance No. 9-37 and shall take effect and in force from and after the earliest period allowed by law.

Passed 27 May, 1952

Attest: E. A. Stankiewicz
Clerk of Council

Approved 27 May, 1952

[Signature]
President of Council

[Signature]
Mayor