

## ORDINANCE NO. 17.

*An Ordinance Concerning Streets, Avenues, Alleys and Public Grounds.*

Be it ordained by the City Council of the city of Grand Junction:

## ARTICLE I.—GENERAL REGULATIONS.

SEC. 1. No person shall dig any hole, drain or ditch in any street, avenue, alley or public ground in this city, without first having obtained written permission from the mayor.

SEC. 2. No person shall break any horse, ass or mule, or ride or drive any wild, unbroken or unmanageable animal upon any street, avenue, alley or public ground of this city.

SEC. 3. No owner or person in charge of horses, dairy cows or other animals loosely driven through the streets of the city, shall permit said animal or animals to trespass upon private lots or grounds, nor shall such animals be so driven through the central portion of the city known as the fire limits.

SEC. 4. No person shall injure nor tear up any sidewalk or pavement without due authority.

SEC. 5. No person shall hinder nor obstruct the making or repairing of any pavement, sidewalk or cross walk, which is or may be in course of construction, pursuant to any ordinance, resolution or order of the city council, nor hinder or obstruct any work ordered by the city council.

SEC. 6. No person shall injure nor destroy, nor assist in injuring or destroying any bridge or its appurtenances, nor any fire engine house, nor any other public building or property within said city.

SEC. 7. No person shall without first obtaining a written permission from the mayor, dig, remove, or carry away, or cause the same to be done, any sod, stone, earth, sand or gravel from any street, avenue, alley, or public ground in the city.

SEC. 8. No city officer, contractor,

plumber or other person in this city shall make any excavation nor dig any hole, ditch or drain, in any street, avenue, alley or public ground, without providing during the night, either sufficient lights or fence or suitable obstruction around or in front of and at the ends of the same; such fence to be sufficiently strong to prevent persons, animals and vehicles from falling into such excavation, and said lights to be kept burning at all times, from the hour of quitting work in the evening until the next morning at the hour of commencing work again.

SEC. 9. No person shall encumber nor obstruct any street, avenue, alley or other public place, by placing therein or thereon any building materials, or any article of thing whatsoever, without first obtaining permission from the mayor of the city; and every day such encumbrance or obstruction shall be or remain, shall be taken and held to be a separate offense.

SEC. 10. The mayor, street commissioner or city marshal is hereby authorized to order any article or thing whatsoever which may encumber or obstruct any street, avenue, alley, sidewalk or other public place, to be removed within one day after notice to the owner thereof to remove the same, or to cause the same to be removed to some suitable place; and the owner of any such article shall on conviction be fined as hereinafter provided, and shall also pay all expense of such removal.

SEC. 11. The mayor shall not grant permission to place or keep any building materials in any public place for a longer period than four months, and such permission shall not authorize the obstructing of more than one-half of the carriage way and one-half of the sidewalk, except in cases of urgent necessity and for short periods; and such permission shall be deemed void whenever the person to whom the same is granted shall extend the obstruction beyond the limits stated herein.

SEC. 12. No person shall erect or place any building in whole or in part upon any street, avenue, alley, sidewalk or other public grounds within this city.

SEC. 13. The owner of any building, fence, or other obstruction of like nature now standing, or which may hereafter be erected or placed upon any street, avenue, alley, sidewalk or public ground within this city, shall remove the same within thirty days after he shall be required so to do, by notice in writing signed by the mayor and served upon such owner or his agent, and a failure or refusal so to do, shall subject such owner or agent to the fine hereinafter provided.

SEC. 14. Whenever the owner of any building, fence or other obstruction of like nature, standing or encroaching upon any street, avenue, alley, sidewalk or public ground 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 city council to cause the same to be removed or taken down, and the expenses thereof shall be recoverable of the owner.

SEC. 15. Whenever any street, avenue, alley, sidewalk or public grounds shall be obstructed by teams, carriages or crowds of people standing therein, the city marshal or any police officer may give such reasonable directions in regard to the removal of such teams, vehicles or persons as in the opinion of such officers may be required for the public convenience; and no person shall neglect or refuse to obey such directions.

SEC. 16. In all cases of persons approaching each other in vehicles, sleighs or other conveyances in any street, avenue or alley, or upon or near any bridge within this city, each person so approaching shall turn off and go to the right side so as to enable each vehicle to pass without accident; and so far as practicable, such vehicle shall at all times keep to the right hand side of the center of the street or avenue, upon which they are traveling.

SEC. 17. No person shall in any street, avenue, alley or public place, hitch or fasten any horse or other animal to any hydrant, tree, ornamental fence or railing or to any public property, nor injure or destroy any ornamental or shade tree, shrub, fence or railing.

SEC. 18. Any person violating any of the provisions of this article, shall on conviction, be fined in a sum not less than five dollars nor more than three hundred dollars.

## ARTICLE II.—SURVEY AND PLATS.

SEC. 1. The following described blocks shall constitute the First Division resurvey of the city of Grand Junction, to-wit: Blocks numbered, 78, 79, 80, 81, 82, 83, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126 and 127.

SEC. 2. Said above described blocks as surveyed by A. J. McCune, civil engineer, under contract with the town of Grand Junction, dated July 15th, 1885, together with the plat thereof as acknowledged by the mayor of Grand Junction, and recorded in the office of the clerk and recorder of Mesa county in book 1 of plats on page 9, on the 6th day of Oct., 1885, be and the same are adopted as the correct and official survey and plat of said first division resurvey, and of the monuments, lots, blocks, streets, avenues and alleys embraced therein; save and except that Main street shall be 99.3 wide instead of 100 as platted, and shall be described as follows to-wit: From range stones north to north line of street 20 feet, and from range stones south to south line of street 79.3 feet.

SEC. 3. The corners of section 14, T. 1 S., R. 1 W. Ute Meridian, as reestablished, located and marked by said A. J. McCune, under said contract, be and the same are hereby recognized and adopted as the true, correct and official corners of said section 14.

SEC. 4. The survey of section 14, T. 1 S., R. 1 W. U. M. as made by the Grand Junction Town company, with the plat thereof as filed in the office of the recorder of Gunnison county, Colorado, and afterwards in the office of the recorder of Mesa county, Colorado (except as modified by the First Division Resurvey mentioned in this article), be and the same are recognized and adopted as the official survey and plat of the city of Grand Junction, to the extent of the grounds embraced in said limits, and that the streets, avenues, and alleys, public parks and other public grounds therein designated are recognized, adopted and accepted as such (save and except that the name of Cottonwood Park as thereon designated be and the same is hereby changed to Maple Park, and the

name of Maple Park as thereon designated be and the same is hereby changed to Coltonwood Park).

## ARTICLE III.—EXTENSIONS AND VACATIONS.

SECTION 1. That Fifth street, as heretofore and on the 11th day of March A. D. 1886, established, opened and extended from its former southern terminus to the southern boundary of the city is hereby recognized and adopted as a public street of the city.

SEC. 2. That Colorado avenue as heretofore and on the 10th day of March, A. D. 1891, established, opened and extended from its former western terminus at First street to the western boundary of the land owned by the Denver & Rio Grande Railroad company, in Richard D. Mobley's first sub-division to the town of Grand Junction, Colorado, is hereby recognized and adopted as a public street of the city.

SEC. 3. That the said extensions of Fifth street and Colorado avenue, respectively, shall correspond in width and direction with the width and direction of said street and avenue as established across section 14, T. 1 S., R. 1 W., U. M., and shall be opened and improved for travel.

SEC. 4. Whereas the right of way of the Denver & Rio Grande Railway embraces the following limits in the southwestern corner of section 14, T. 1 S., R. 1 W., Ute meridian, to-wit: Commencing at the southwest corner of said section and running thence east along the south line of said section 734 feet, thence northwesterly to a point on the west line of said section 842 feet north of the said southwest corner of section 14; thence south 842 feet to the place of beginning; therefore so much of the west ends of south and Pitkin avenues and of the south end of First street as lie within the above described limits be and the same are hereby vacated, together with all parts of alleys lying within said limits.

SEC. 5. And whereas the right of way of said Denver & Rio Grande Railway embraces the following limits in the southeast corner of said section 14, to-wit: Commencing at a point on the south line of said section 14, 994 feet west of the southeast corner of said section, and running thence east along the south line of said section, 678 feet; thence northeasterly to a point on the east line of said section 94 feet north from the southeast corner of the same; thence north along the east line of said section 210 feet, thence southwesterly to the point of beginning; therefore so much of the east end of South avenue together with so much of any alley or alleys as lie within the above described limits be and the same are hereby vacated.

## ARTICLE IV.—GRADES.

SECTION 1. The grades as given in detail upon the official profiles in the city surveyor's office, or hereafter filed in such office, approved and established by the city council, are hereby declared to be the established grades upon the streets and parts of streets therein shown.



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SEC. 2. The cross section of a street shall be established as follows: Commencing on either side of the street the sidewalk at the outer line of the street shall be at grade; thence descending two inches to the curb stone at the edge of the gutter; thence dropping to the bottom of the gutter one foot, or one foot and two inches below grade; thence rising with a line curving upward to the center of the street, which shall also be at grade.

SEC. 3. No person, unless duly authorized by the city surveyor, shall uncover, remove, displace or mutilate the range stones imbedded in the streets of the city; provided, that where it shall become necessary for the purpose of grading or paving the said streets to remove or displace said range stones, such displacement or removal shall be done under the supervision of the city surveyor, and only in vertical lines, and said range stones so displaced or removed shall be covered again to a depth of not less than six inches below the surface of said streets respectively.

Any person violating the provisions of this section shall, on conviction, be fined not less than five nor more than fifty dollars for each offense.

ARTICLE V—SYSTEM OF STREET, AVENUE AND HOUSE NUMBERING.

SECTION 1. The city surveyor shall cause to be prepared, from time to time, maps of the several streets of the city showing the numbers of all houses, and in all cases where the number or numbers of houses shall hereafter be changed, the same shall be renumbered in the manner provided by ordinance.

SEC. 2. The city surveyor shall assign to each house its proper number and, upon application, shall deliver to the owner or occupant thereof a certificate designating such number, at a cost to such owner or occupant not exceeding five cents for each number.

SEC. 3. The buildings fronting on all streets shall be numbered by plain, distinct figures, not less than two inches in length, placed upon some conspicuous portion of the front of such buildings. Such numbers to be as follows, to-wit: Commencing with Main street, on all streets running north and south therefrom, the first number shall be 100, and so commencing they shall be consecutively numbered until the terminus of the block. The first numbering of the second block shall commence with number 200 and so consecutively carried forward to the end of the block. All the residue of the blocks extending north or south shall be so numbered, commencing with consecutive hundreds for each additional block to the limits of the city, as the same now is, or may hereafter be constituted and laid out. The even numbers shall be on the east side and the odd numbers on the west side of all streets running north and south. On all streets running east and west from First street, the first numbering shall be 100, as heretofore designated, for the first block, and consecutive hundreds for each additional block to the limits of the city, as the same now is or may hereafter be constituted and laid out. On all streets running east and west the even numbers shall be on the north side and the odd numbers on the south side thereof. Twenty-five feet of frontage shall be given to each number on all streets.

SEC. 4. All streets running north from Main street shall have the word "north" prefixed to their names, and all running south from Main street shall have the word "south" prefixed to their names. All streets running east from First street shall have the word "east" prefixed to their names, and all streets running west from First street shall have the word "west" prefixed to their names.

SEC. 5. Any person being the owner or occupant of any building now erected who, after being notified by the city surveyor that the house numbers are on record at his office, shall for thirty days thereafter neglect or refuse to number any buildings owned or occupied by him, in conformity with the provisions of the ordinances of Grand Junction, or who shall number any such building without having first obtained from the city sur-

veyor a certificate designating the proper number for such building, or any owner or occupant of any building hereafter erected in this city who shall, for thirty days after the same shall be erected, fail, neglect or refuse to number said building as required by ordinance, or who shall number said building without first obtaining from the city surveyor a certificate designating the proper number shall, on conviction, be fined in a sum not less than two dollars nor more than one hundred dollars, and a further penalty of five dollars for every thirty days that he shall so fail, neglect or refuse to number said building.

Passed this 26th day of September A. D. 1891  
EDWARD W. GANNON,  
Temporary President.  
Attest: FRANK McCLINTOCK,  
City Clerk, Pro Tem.

*Edward W Gannon*  
*Temporary President*  
*Frank McClintock*  
*City Clerk*  
*Pro Tem*