

Ben
Lomond 6/16/55

Ben Lomond Dam Repairs Cost Okay To Be Sought In Court

Steven Wyckoff, attorney for the Ben Lomond fire protection district, Tuesday night gave public assurance that he will bring a petition before the superior court for authority to expend fire district funds for repair of the Ben Lomond dam in the San Lorenzo river.

His assurance, at a meeting of the fire commission board of directors attended by Ben Lomond recreation commissioners and a number of Ben Lomond's downtown merchants, brought close to an end a long, vexing deadlock on whose responsibility it is to make the dam repairs, which must be made before it can be used this summer.

Fire Commissioner Jack Ryan told the gathering that, in the event of any major fire, the dam is a vital necessity. All the fire commissioners indicated that they will seek authority to make permanent repairs to meet the approval of a competent engineer, instead of taking stop-gap measures.

For the last month, the Ben Lomond citizenry has been divided in a fight over whether it was up to the fire district or the recreation district to repair the barrier in the San Lorenzo river. Fire commissioners, with Wyckoff as their spokesman, maintained that it was a recreational problem. Eugene Adams, attorney for the recreation district, held fast in insisting that the district had no interest in the dam.

Ben Lomond merchants, whose summer business to a large degree depends on use of the pool created by the dam, and residents of the area, who have been concerned about their fire protection, have been clamoring for action by anybody to get the dam repaired.

The superior court permission must be sought for use of general tax money by the fire district on repairing the dam because, from the time Judge James J. Attridge ruled that the fire commissioners should have gone to the public for authority to levy a special tax to pay for its construction, he has held interlocutory jurisdiction over its maintenance.

Recreation district commissioners have requested Adams to give any assistance possible to the fire commission.