

ORDINANCE No. 1826

A BILL FOR:

AN ORDINANCE providing for the time and manner of constructing lateral sewers in the City of Albany, Oregon, to-wit: Beginning at the end of the existing lateral approximately 109 feet westerly of the existing manholes on the west side of West Street between Tenth and Eleventh Streets, and going thence southerly 149 feet, to Manhole Number 2 on the north line of Block 16, City View Addition; thence westerly 132 feet to proposed Manhole Number 3; thence southerly 70 feet. Also beginning at proposed Manhole Number 2 and going thence southerly 70 feet, providing how the cost of such improvement shall be paid, the penalty or damage to the City of Albany by the person or persons making such improvement if the same shall not be completed within the time agreed upon, and the giving of a good and sufficient bond for the faithful performance of the work of such improvement, and providing further for the giving by the Recorder of said City of Albany, notice for bids for the completion of said improvement, and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. That lateral sewers be constructed within the City of Albany, Oregon, to-wit: Beginning at the end of the existing lateral approximately 109 feet westerly of the existing manholes on the west side of West Street between Tenth and Eleventh Streets, and going thence southerly 149 feet, to Manhole Number 2 on the north line of Block 16, City View Addition; thence westerly 132 feet to proposed Manhole Number 3; thence southerly 70 feet. Also beginning at proposed Manhole Number 2 and going thence southerly 70 feet.

That said improvements be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans and specifications and estimates therefor of Walter W. Larsen, City Engineer of said City, filed in the office of the Recorder of the City of Albany on the 14th day of May, 1947.

The cost of the construction of said lateral sewers shall be paid out of the fund to be collected and arising upon and out of the assessments hereafter to be made, ascertained and declared by the Council of the City of Albany, on the lots and parts of lots adjacent to said improvement as hereinabove described and especially and particularly benefited thereby, as provided by the Charter of said City of Albany, Oregon.

That the construction of said lateral sewers shall be completed on or before the 30th day of September, 1947.

The Council of the City of Albany hereby reserves the right to reject any and all bids for the construction of said sewers.

Any person, firm or corporation with whom any contract may be entered into by the City of Albany for the construction of said lateral sewers shall, before commencing said work and at the time of signing such contract, make, execute and deliver to the City of Albany a good and sufficient bond, with good and sufficient surety or sureties, in a sum equal to fifty per cent of the amount of the bid thereof, conditioned for the faithful performance of such contract in the manner provided by law.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany for the construction of said lateral sewers shall not complete the same within the time stipulated in said contract and as herein provided, the contractor shall pay to the City of Albany the sum of \$25.00 per day for each day of delay required to complete said contract beyond said specified time, said sum to be as fixed and liquidated damages to said City by reason of such delay.

Section 3. The Recorder of the City of Albany is hereby ordered and directed to immediately give proper notices for bids for the construction of said lateral sewers by a publication thereof for ten days in the Albany Democrat-Herald, a newspaper of general circulation published in the City of Albany, Linn County, Oregon, fully describing in said notice the time and manner of doing the work as provided herein.

Section 4. WHEREAS, the peace, health and safety of the people of the City of Albany are involved. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and

ORDINANCE NO. 1826 (Cont'd)

and effect from and after the date of its passage by the Council and approval by the Mayor.

Passed by the Council July 9, 1947

Approved by the Mayor July 9, 1947

RALPH L. BANTON

Mayor

Attest:

C. R. ASHTON

Recorder

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of the Ordinance No. 1826 has been by me carefully compared with the Ordinance Bill No. 1949, as passed by the Council July 9, 1947, and approved by the Mayor on the 9th day of July, 1947.

Witness my hand and official signature and seal of the City of Albany, Oregon on the 10th day of July, 1947.

Recorder of the City of Albany, Oregon