

ORDINANCE No. 1132

A BILL FOR AN ORDINANCE Providing for the time and manner of improving Elm Street from the South line of Fifth Street to the North line of Ninth Street in the City of Albany, Oregon; 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 of said part of said street, and providing for the giving by the Recorder of said City, of proper notice for bids for the completion of such improvement of said part of said street, and declaring an emergency.

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

Section 1. That Elm Street from the South line of Fifth Street to the North line of Ninth Street in the City of Albany, Oregon, shall be improved in the following manner, to-wit:

1. By grading said street to the proper subgrade.
2. By paving said street full width with Portland cement concrete pavement, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said street full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed gravel or gravel base.
3. By laying paving headers.
4. By laying 6 inch vitrified sewer pipe.
5. By constructing inlets.
6. By tapping sewers.

Said improvement to be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of Engineer Charles H. Leonard for the improvement of said street, filed in the office of the Recorder of said City of Albany, Oregon, on the 28th. day of May, 1924, and endorsed "Engineer's plans and specifications for the improvement of Elm Street from the South line of Fifth Street to the North line of Ninth Street in the City of Albany, Oregon, and the estimate of the work to be done and the probable cost thereof".

The cost of said improvement of said portion of Elm Street, except street intersections which shall be paid for out of the general fund of the City, shall be paid out of the funds collected and arising upon and out of the assessment hereafter to be made, ascertained, and declared by the Council of the City of Albany on lots and parts of lots adjacent to said portion of said Elm Street so to be improved, and especially and particularly benefited thereby, as provided by the charter of said City.

The said improvement of said portion of said Elm Street shall be completed by the _____ day of _____ 1924.

All bids for the making of said improvement of said street deemed unreasonable by the Council of the City of Albany may be rejected.

Any firm, person or corporation with whom any contract may be

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entered into by the City of Albany for the making of said improvement shall, before commencing said improvement and at the time of signing such contract, make, execute and deliver to said City a good and sufficient bond, with good and sufficient surety, in a sum not less than fifth per cent (5%) of the proposal of the contractor, conditioned upon the faithful performance of this contract.

Section 2. If the firm, person or corporation entering into any contract with the said City of Albany to make said improvement of said Elm Street shall not complete the same within the time mentioned and specified in said contract, said City shall be deemed to suffer damages on account thereof to the amount of _____ Dollars per day for each and every day the completion of said work is delayed beyond the time stated in such contract, which amount shall be paid by such contractor doing the work at the completion thereof, unless the time of completion of said improvement is extended by the Council.

Section 3. The Recorder of said City is hereby ordered and directed to immediately give proper notice for bids for the making of said improvement of said portion of said Elm Street by publishing such notice ten days in The Albany Democrat, a daily newspaper published in said City of Albany, fully describing in said notice the time and manner of doing the work of said improvement of said Elm Street.

Section 4. WHEREAS, It is necessary for the public peace, health and safety of the people of the City of Albany that the foregoing described improvement to be immediately constructed and therefore an emergency exists and one is hereby declared to exist and this ordinance shall go into full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council, June 20th, 1924.

Approved by the Mayor, June 20th, 1924.

P. A. Young,

Mayor

Attest: D. H. Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON, }
County of Linn, } ss

I, D. H. Bodine, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1132 has been by me carefully compared with the Original Ordinance Bill No. 1229 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1229 passed by the Council June 20th, 1924, and approved by the Mayor, June 20th, 1924.

WITNESS, my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

D. H. Bodine
Recorder of the City of Albany.