

ORDINANCE NO. 98554

(SEWER - TIME AND MANNER)

Letter..... Dist..... Page 19 File C. 6711

An ordinance providing for the time and manner of constructing ~~xxxxxxx~~ the Swan Island Sanitary Trunk Sewer System, accepting a waiver therefor, defining the assessment district, authorizing the execution of a contract, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that the owners of all property subject to a local assessment for the construction of the Swan Island Sanitary Trunk Sewer System, have presented a petition and waiver with a view of obtaining the construction of said sewer at the earliest practicable date, such construction to be in accordance with plans and specifications therefor heretofore filed with the City Auditor, and the cost thereof to be assessed against the property of the petitioners within the assessment district set out in said petition and in this ordinance; that said property owners by said petition and waiver have expressly waived the usual proceedings for notification and remonstrance against said project, and, in consideration of omitting such notification and opportunity for remonstrance (thereby expediting the work); have expressly assumed and agreed for themselves, their heirs, administrators, executors, successors and assigns, to waive all objections thereto and to promptly pay or bond the assessment that is placed against their several lots and parcels of land, it being intended and provided, however, that the usual proceedings be taken for letting the contract, accepting the work when completed, making a proposed assessment, giving notice thereof, and an opportunity to be heard, and exercising the usual bonding privilege after an assessment is made; that said petition and waiver should be accepted and said work expedited; now, therefore, said petition and waiver hereby is accepted and said proceedings shall be expedited as much as practicable. The Auditor hereby is instructed forthwith to give the usual notice for bids, whereupon subsequent proceedings shall be taken as rapidly as practicable and the property owners shall have the usual bonding privilege.

The Mayor and Commissioner of Public Works hereby are authorized on behalf of the City to execute a contract with the successful bidder for said work and the cost of said work shall be assessed against the property within the local improvement district described as follows:

All of Swan Island designated as Tax Lot 14, Section 20, T 1 S R 1 E.

Section 2. That portion of the street necessary to be used for digging the trench shall be cleared of all obstacles (except gas and water mains) at the expense of the contractor, who shall, after the pipe is laid and the trench filled, replace the pavement and all portions of the street improvements disturbed, leaving the street in as good order as the same was when the work was begun, except such portions as the Council may direct to be omitted for the purpose of making other improvements.

Section 3. The contractor shall take and have entire charge of the work during its progress, and shall be responsible for any loss or accident resulting from carelessness or neglect, and the said sewer improvement shall be completed to the satisfaction of the Council of the City of Portland.

Section 4.- The sewer improvement provided for in this Ordinance shall be completed within the time fixed by the Council, and the contract shall contain a provision that for each day required to complete said contract, after the expiration of the time fixed for its completion, the contractor or contractors shall forfeit to the City of Portland the sum prescribed in Section 5-418 of Ordinance No. 76971.

The contract shall contain a stipulation to the effect that the person, firm or corporation to whom the contract shall be let shall look for payment only to the fund to be assessed upon the property liable to pay for such sewer improvement, and collected and paid into the City Treasury for that purpose, and that they will not require the City of Portland by any legal process or otherwise to pay the same out of any other fund, except as provided by the Charter.

The contract shall be subject to the provisions of Ordinance No. 76971, as amended, and of all other Ordinances of the City of Portland applicable thereto.

Section 5. The time for completing the laying and construction of the sewer provided for by this Ordinance shall be 365 days from the date of the awarding of the contract for the aforesaid sewer.

Section 6. The Auditor is hereby directed to advertise for proposals for the construction of the aforesaid sewer.

Section 7. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that said sewer construction may not be unnecessarily delayed; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its ~~passage by the Council~~ passage by the Council.

Passed by the Council JUN 10 1953

R. S. I.

Fred L. Peterson
Mayor of the City of Portland.

Will Gibbons

Attest: _____
Auditor of the City of Portland.

Harold J. Meier
CHIEF DEPUTY

Letter Dist. Calendar No. 3116

Page 19 3228

File C 6711

**ORDINANCE No. 98554
SEWER**

Time and manner of constructing ~~xxxxxx~~ the
Swan Island Sanitary Trunk Sewer
System, and declaring an emergency.

Compared JQ/MC
Council JUN 3-1953

WAB

Referred to Commissioner of Public
Works

Read first and second times and up for
third reading

Filed MAY 29 1953

Phil Gibson
AUDITOR OF THE CITY OF PORTLAND

By *R. S. Ivey*
Deputy.

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
BEAN	✓	
BOODY	✓	
BOWES	✓	
EARL	✓	
PETERSON	✓	

June 3-1953
Continued to 9:30 A.M. June
10, 1953