

An Ordinance granting a revocable permit to Hatch, Inc. to maintain a private communications cable over and across S.E. Foster Road between S.E. 76th Avenue and S.E. 77th Avenue, at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Hatch, Inc., 7639 S.E. Foster Road, Portland, Oregon 97206, has requested permission to maintain a private communication cable over and across S.E. Foster Road between two existing power poles, said cable was formerly installed and owned by Pacific Northwest Bell, located adjacent to Block A, Chicago Center Addition, and TL 1, Leonora Place Addition.
2. That the requested cable is needed to provide for a communication system between the buildings as part of their business operation.
3. Granting of said request under certain conditions will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

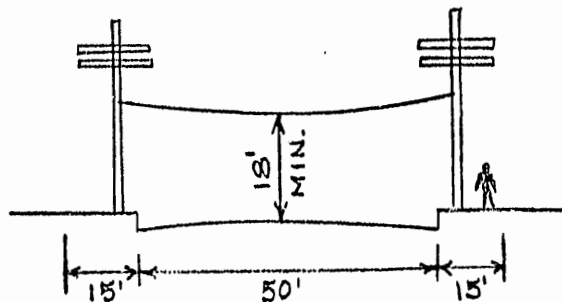
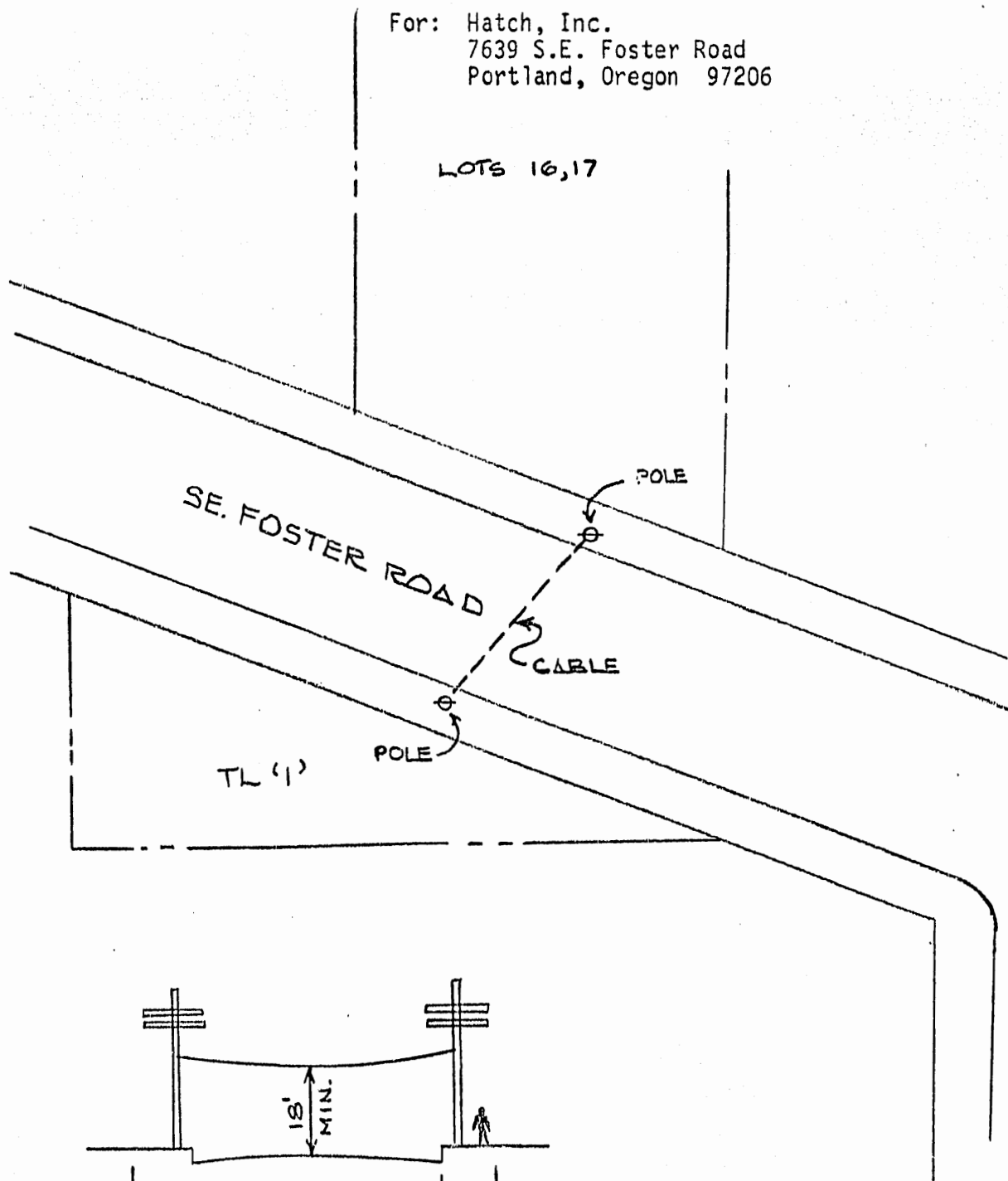
- a. A revocable permit is granted to Hatch, Inc. to maintain a communications cable over and across S.E. Foster Road, as described above and as shown on the attached plan marked "Exhibit A", and by this reference made a part of this Ordinance, subject to the following conditions:
 - (1) This permit is for use of the street area only, and shall not exempt the permittee from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except as herein stated.
 - (2) The cable must have a clearance of at least 18 feet above the roadway of the street.
 - (3) The permittee shall hold the City of Portland, its officers, agents, and employees free and harmless from any claims for damages to persons or property, including legal fees and costs of defending any actions or suits, including any appeals which may result from the use of the street area under this permit by providing evidence of insurance protecting the City of Portland, its officers, agents, and employees as follows:
Bodily injury \$100,000 for one claimant and \$300,000 for one occurrence, property damage \$50,000 for one

EXHIBIT - "A"

151056

To maintain a communications cable over and across
S.E. Foster Road, adjacent to Block 4, Chicago Center
Addition, and TL '1', Leonora Place Addition. ¼ 3538

For: Hatch, Inc.
7639 S.E. Foster Road
Portland, Oregon 97206



ELEVATION
VIEW

APPROVED

DRAWN BY: SSH
CHECKED BY: HGS
SCALE: NTS.

By John M. Long, Reg.
City Engineer
Reg. Prof. Engr.

claimant and \$300,000 for one occurrence, said insurance to be kept in full force and effect at all times. This permit is automatically revoked without further action by the Council if this insurance is permitted to lapse, is cancelled or, for any other reason, becomes inoperative.

- (4) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.
- (5) The permittee shall reimburse the City for the cost of filing by the City Auditor of a certified copy of this Ordinance with the Records Division of Multnomah County.

Section 2. This Ordinance will not become effective until the permittee has filed with the City Auditor both a document accepting the terms and conditions hereof, and the evidence of insurance, each of which has been approved by the City Attorney.

Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship of uncertainty on the part of the applicant as to the status of the requested permit for the cable; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JAN 29 1981

Commissioner Mike Lindberg
Steve Hazzard:jmh
January 20, 1981

Attest:

George Zechin
Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan		
Lindberg		
Schwab		
Ivancie		

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

Calendar No. 269

ORDINANCE No. 151056

Title

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THURSDAY

Filed JAN 22 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

George Yerkovich
Deputy

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/MS</i>

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: Steve Hazzard:jmh
Date: 1/20/81
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>David J. Vargas</i>
David J. Vargas, Acting Chief

CALENDAR
Consent <input checked="" type="checkbox"/> Regular

NOTED BY
City Attorney
City Auditor
City Engineer Approved: John M. Lang, P.E.
By: <i>David J. Vargas</i>