

# ORDINANCE NO. 151342

(IMPROVEMENT-TIME AND MANNER)

Letter E Page 1 File C-9351

An Ordinance providing for the time and manner of improving N.E. Emerson St. from the west line of N.E. 19th Avenue to the east line of N.E. 22nd Avenue, and declaring an emergency.

### THE CITY OF PORTLAND ORDAINS:

Section 1. That N.E. Emerson St. from the west line of N.E. 19th Avenue to the east line of N.E. 22nd Avenue, shall be improved as follows:

*[The following text is extremely faint and illegible due to heavy noise and low contrast in the original document. It appears to be a detailed list of specifications for the street improvement project.]*

That the cost of the improvement shall be assessed as provided for in the Charter and Ordinances of the City of Portland, and property owners who are particularly benefited thereby, when property is hereby determined and declared to be all the property of the property owners of the block or blocks, or portions thereof, of N.E. Emerson St. from the corner of N.E. 19th Avenue to the corner of N.E. 22nd Avenue, shall be liable to pay the same.

And the improvement shall be parallel to N.E. Emerson St. from a point on the west line of N.E. 19th Avenue to a point on the east line of N.E. 22nd Avenue.

That the Council of said City does hereby declare that the character of the improvement is to be and is made as follows:

- 1st. The improvement shall be the sewer submain.
- 2nd. The improvement shall be concrete pipe.

The improvement shall be installed in accordance with the specifications attached hereto and shall be added to the street in accordance with the provisions of the Charter of the City of Portland.

Section 2. That said improvement shall in all respects be done and completed in conformity with the plans and specifications therefor heretofore adopted by the Council and in conformity with the requirements of the Code of the City of Portland, Oregon.

Section 3. The contractor or contractors for said improvement shall not dig up or disturb the surface of the street within the limits of said improvement for a greater distance than two blocks without having first obtained a permit to do so from the City Engineer.

Section 4. The contractor or contractors shall take entire charge of the work covered by the contract during the progress of the work and shall be responsible for any loss or accident resulting from carelessness or neglect, and the improvement shall be completed to the satisfaction of the Council of said City of Portland.

Section 5. The contractor or contractors shall complete said work covered by the contract by the time fixed by the Council, to wit: by July 1, 1981, and upon commencing said work shall continue the same without delay until completed unless the time for the completion of the same be extended by the Council, and the contract shall contain a provision that for each day required for the completion of the work covered by the contract after the expiration of said time there shall be forfeited by the contractor to the City the sum prescribed in the General Specifications adopted pursuant to Section 17.16.010 of the Code of the City of Portland, Oregon.

Section 6. The contract shall also contain a stipulation to the effect that the person, firm or corporation to whom the contract is let shall look for payment only to the fund to be assessed upon the property liable to pay for said improvement and collected and paid into the City Treasury for that purpose, and that neither the contractor nor anyone claiming under him will require the City of Portland by any legal process or otherwise to pay the same out of any other fund.

Section 7. The Commissioner of Public Works is hereby directed to have the Maintenance Bureau perform the necessary work for the improvement provided by this Ordinance.

Section Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: That said improvement should be made as soon as practicable; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 1 1981**

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Mayor of the City of Portland

Attest:

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*Angela Johnson*  
Auditor of the City of Portland

*no removal*  
*1 - favouring*

Letter E Calendar No. 1026

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**(IMPROVEMENT)**

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of N.E. 22nd Avenue, and declaring  
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Ordinance *DE*  
Council **APR 1 1981**

Introduced by *Mike Lindberg*

Referred to Commissioner of Public  
Works

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
JORDAN	<u>1</u>	
LINDBERG	<u>1</u>	
SCHWAB	<u>1</u>	
IVANCIE	<u>1</u>	

Filed MAR 10 1981

**GEORGE YERKOVICH**  
AUDITOR OF THE CITY OF PORTLAND

By *Robert Coall*  
Deputy.