

ORDINANCE NO. 151616

An Ordinance granting a revocable permit to Todd Building Co. to use crane base and shoring in the street area of S.W. Sam Jackson Park Road adjacent to TL (48), Sec. 9, 1S, 1E, W.M., at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Todd Building Co., 1500 S.E. Blairmont, Vancouver, Washington, 98660, has requested permission to use crane base and shoring extending underground to the street area of S.W. Sam Jackson Park Road adjacent to TL (48) Sec. 9, 1S, 1E, W.M. to facilitate construction of the Shriners Hospital for Crippled Children.
2. That said crane base and shoring will be located in a manner that should not interfere with present or future utilities.
3. That granting of the desired permission under certain conditions will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is hereby granted to Todd Building Co., permittee, to use crane base and shoring in the street area described above in accordance with plans approved by the City Engineer and the Bureau of Buildings, subject to the following conditions:
  - (1) This permit is for the use of street area only and shall not exempt the permittee from taking out any license or permit required by existing ordinances for any operation or maintenance under the permit hereby granted, nor shall this permit waive the provisions of any general ordinance of the City or its charter.
  - (2) This permit is revocable at any time in the event the public's need requires it and no expenditure of money hereunder, lapse of time, or other act or thing shall operate as an estoppel against the City of Portland, or be held to give the permittee any vested or other rights.
  - (3) Upon order of the City Engineer, permittee shall immediately stop work and repair any damage to the street areas or utilities or private property as directed. Resumption of work using crane base and shoring shall be at the discretion of the City Engineer.

- (4) 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 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.
- (5) No work will be permitted in the street area until plans for crane base and shoring have been submitted and approved by the Bureau of Buildings and the City Engineer. It is understood by permittee that such plan approval shall not work as an estoppel nor shall it be construed as a defense to permittee's guarantee to reimburse the City for damage or destruction of utilities as set forth in paragraph 6 below.
- (6) The permittee guarantees to the City the cost for any repairs or replacement of utilities damaged or destroyed, caused in whole or in part by activities in, or installation of, the crane base and shoring.
- (7) The permittee shall cut off soldier piles at least 36 inches below gutter grade of adjacent streets.
- (8) The permittee shall provide the City Engineer with an as-built drawing showing the location of the crane base in reference to the building. The City Engineer shall inspect the crane base prior to backfilling.
- (9) The permittee shall restore the street area as directed by, and to the satisfaction of the City Engineer.
- (10) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.

Section 2. This Ordinance will not become effective until the permittee has filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof. This Ordinance shall be automatically revoked without further consideration by the Council if the acceptance together with documents and fees required are not on file with the City Auditor within sixty (60) calendar days of the passage of this Ordinance.

## ORDINANCE No.

Section 3. The Council declares an emergency exists because it is necessary that the permit herein granted shall be issued without delay in order to allow permittee to immediately proceed with plans for construction; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAY 27 1981

Commissioner Mike Lindberg  
John Brandt:jmh  
May 12, 1981

Attest:

  
Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Calendar No. **1639**

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**Title**

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Filed                       
**MAY 19 1981**

**GEORGE YERKOVICH**  
 Auditor of the CITY OF PORTLAND  
 By                       
 Deputy

INTRODUCED BY  
**COMMISSIONER MIKE LINDBERG**

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works *rol/mo*

BUREAU APPROVAL

Bureau:  
**Street & Structural Engineering**

Prepared By: **John Brandt:jmh** Date: **5/12/81**

Budget Impact Review:  
 Completed     Not required

Bureau Head: *R.O. Schmidt*  
**R. O. Schmidt, Chief**

CALENDAR

Consent  Regular

NOTED BY

City Attorney

City Auditor

City Engineer Approved:  
**John M. Lang, P.E.**

By: *R.O. Schmidt*