

## ORDINANCE NO. 153036

An Ordinance granting a revocable permit to Silvey-White Partnership and its assigns and successors to install, equip, use and maintain a precast utility vault with sidewalk doors in and under the street area of S.W. Clay Street west of S.W. 14th Avenue, at a permit fee of \$20.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Silvey-White Partnership c/o Silvey-Barnes Properties, P.O. Box 337, Tualatin, Oregon 97062, has requested permission to install, equip, use and maintain a precast utility vault with sidewalk doors in and under the street area of S.W. Clay Street west of S.W. 14th Avenue.
2. The vault is needed to provide for access to the fire protection system that serves a new building constructed on the adjacent property.
3. The plan for the vault with sidewalk doors, attached to this Ordinance as "Exhibit A", has been approved by the City Engineer.
4. The desired vault with sidewalk doors, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Silvey-White Partnership and its assigns and successors, permittee, to install, equip, use and maintain the precast utility vault with sidewalk doors, described in Section 1-1 above, and located as shown on the plan marked "Exhibit A", attached to and by reference made a part of this Ordinance, 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 at the pleasure of the Council and no expenditure of money or 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 right. Upon revocation of this permit

by the Council, the permittee shall within 30 days remove the precast utility vault and restore the street area as required by and to the satisfaction of the City Engineer.

- (3) The permittee shall pay the permit fee of \$20.00 required by Section 17.24.020 of the City Code.
- (4) Before construction begins, the permittee shall obtain from the City Engineer his requirements as to hours to work, traffic control, and the placing of necessary signs and barricades.
- (5) If, during construction under this permit, it becomes necessary or expedient to modify the location or the plan for the vault, the permittee shall first obtain the approval of the City Engineer on revised plans filed in duplicate with the City Engineer. One copy of the approved plan showing the change shall be filed by the City Engineer with the City Auditor to become a part of this Ordinance.
- (6) 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.

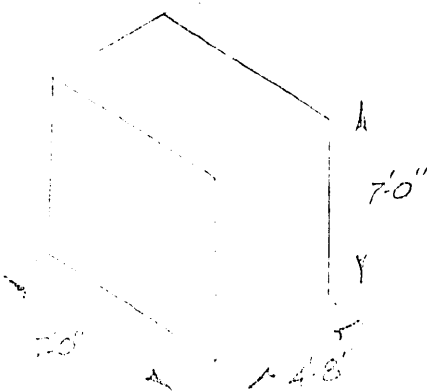
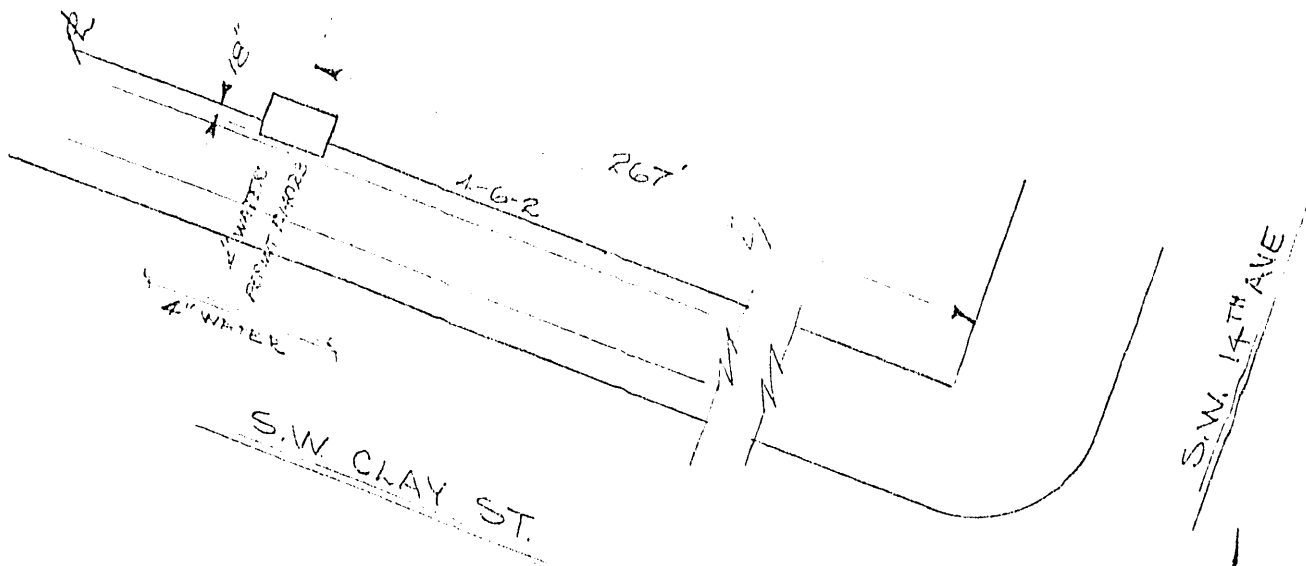
Section 2. This Ordinance will not become effective until the permittee has filed with the City Auditor a document which has been approved by the City Attorney accepting the terms and conditions hereof.

# EXHIBIT - "A"

153036

To install, equip, use and maintain a precast utility vault with sidewalk doors in and under the street area of S.W. Clay Street

For: Silvey-White Partnership



DR BY: RWJ  
CK BY: MAH  
MAR 24, 82

APPROVED

UTILITY VAULT 577-LA

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

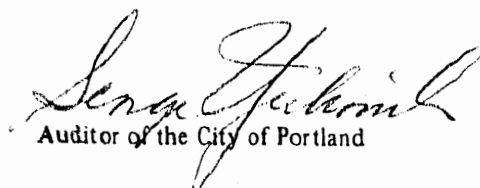
**ORDINANCE No.**

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

Passed by the Council, **APR 1 1982**

Commissioner Mike Lindberg  
Harry Hendrickson:jmh  
March 24, 1982

Attest:

  
Auditor of the City of Portland

Calendar No. 836

ORDINANCE No. 153036

Title

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THURSDAY

Filed MAR 25 1982

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By *George Crall*  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG	1	
SCHWAB		
STRACHAN		
IVANCIE		

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

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: Harry Hendrickson:jmh	Date: 3/24/82
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head: <i>R.O. Schmidt</i>	
R. O. Schmidt, Chief	

CALENDAR	
Consent <i>X</i>	Regular

NOTED BY
City Attorney
City Auditor
City Engineer Approved: John M. Lang, P.E.
By: <i>R.O. Schmidt</i>