

An Ordinance to provide for the time and manner of constructing a sewer in Glisan street from 190 feet west of the west line of Twenty-second street to the sewer in Twenty-first street at the expense of the property specially benefited by such sewer.

The City of Portland does ordain as follows:

Section 1: A sewer shall be constructed in Glisan street from 190 feet west of the west line of Twenty-second street to the sewer in Twenty-first street of vitrified sewer pipe of eight inches diameter with all necessary catch-basins, manholes and branches.

Said sewer to be constructed in accordance with the Charter and Ordinances of the City of Portland, and the plans, specifications and estimates of the City Engineer filed in the office of the Auditor of the City of Portland on the 10th day of March, 1909, endorsed: "City Engineer's plans and specifications for the construction of a sewer in Glisan street from 190 feet west of the west line of Twenty-second street to the sewer in Twenty-first street, and the estimates of the work to be done and the probable total cost thereof."

The cost of said sewer to be assessed as provided by the City Charter upon the property specially and peculiarly benefited thereby and which is hereby declared to be all the lots, parts thereof and parcels of land lying between a line 100 feet north of and parallel with the north line of Glisan street and a line 100 feet south of and parallel with the south line of Glisan street, and between the east line of Cornell Road, and a line 100 feet west of and parallel with the west line of Twenty-first street.

The City Engineer's estimate of the probable total cost for the construction of the sewer in said Glisan street is \$872.55

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 Executive Board 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 Executive Board of the City of Portland.

Section 4: The sewer improvement provided for in this Ordinance shall be completed within the time to be fixed by the Executive Board, 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 by Ordinance No 15373, entitled "An Ordinance fixing the amount to be forfeited to the city by contractors for street improvements and construction of sewers for non-completion of work within time provided by contract."

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 9183, entitled: "An Ordinance to protect material men, laborers and sub-contractors who furnish labor or material to contractors for the improvement of streets for construction of sewers."

Section 5: Whereas there is an immediate necessity that this Ordinance shall take effect upon its approval by the Mayor an emergency is hereby declared and said Ordinance is hereby declared to be necessary for the immediate preservation of the health, peace and safety of the people of the City of Portland, for the following reasons: That said sewer is a public necessity and the property abutting on said sewer is in immediate need of its completion and it is necessary for the health of said city. Therefore this Ordinance shall take effect and be in force immediately upon its approval by the Mayor.

Passed the Council April 28th, 1909

A L Barbur,

Auditor of the City of Portland

Submitted to the Mayor April 29th, 1909

Approved April 30th, 1909, Harry Lane, Mayor

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