

Ordinance No. 80765

An Ordinance amending Ordinance No. 76947, the War Code, by adding a new article to be designated as Article 62 granting a revocable permit to Portland Bolt & Manufacturing Company, 930 N.W. 14th Ave., Portland 9, Oregon, to erect an I-beam chain block track extending over the sidewalk area of N.W. Lovejoy Street between N.W. 14th Ave. and N.W. 13th Ave., and to maintain the same until six months after the cessation of the present wars against the United States and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that Portland Bolt & Manufacturing Company has applied for permission to erect an I-beam chain block track extending over the sidewalk area of N.W. Lovejoy St. between N.W. 14th Ave. and N.W. 13th Ave. and to maintain the same until six months after the cessation of the present wars against the United States, and that due to the existing shortage of labor, the said track is needed to facilitate loading and unloading of heavy materials, and that the granting of the desired permit under certain conditions for the duration of the war will not be detrimental to the public interest. Therefore, Ordinance No. 76947, the War Code, passed by the Council March 26, 1942 is hereby amended by adding thereto a new article to be designated as Article 62, reading as follows:

Article 62. Revocable permit - Portland Bolt & Manufacturing Company

Section 22-6201. REVOCABLE PERMIT TO EXTEND AND MAINTAIN I-BEAM CHAIN BLOCK TRACK. The City of Portland does hereby grant unto Portland Bolt and Manufacturing Company (hereinafter referred to as the grantee) a revocable permit to erect an I-beam chain block track extending 36 inches into the sidewalk area of N.W. Lovejoy St. between N.W. 14th Ave. and N.W. 13th Ave., adjoining Lot 7, Block 142, Couch's Addition, and to maintain the same until six months after the cessation of the present wars against the United States, the said track to be erected in such a position that a minimum clearance of 9 feet shall be provided between the said track and the surface of the sidewalk, this permit being granted under the following further conditions:

(a) Within ten (10) days from the date hereof, the grantee shall file with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

(b) This permit is revocable at any time at the pleasure of the Council, and no expenditure of money hereunder, 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 grantee any vested or other right. Six months after the cessation of the present wars against the United States, or within thirty (30) days of a prior revocation of this permit by the Council, the grantee shall remove the said track from over the street area as required by and to the satisfaction of the City Engineer.

(c) The grantee shall assume full responsibility for any accidents or damage which may occur during the construction or maintenance of said track over the sidewalk area, and shall hold the City of Portland, the City Engineer, and each and all of the officers and employees of said City free and harmless from any claims for damages to persons or property which may be occasioned by any operation, construction and/or maintenance carried on under the permit hereby granted.

(d) Within ten (10) days from the date hereof, the grantee shall file with the City Auditor a document satisfactory to the City Attorney accepting the terms and provisions hereof.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the grantee may have the use of the said track without undue delay; 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 FEB 8 1945

Earl Riley
Mayor of the City of Portland

Attest:

John S. McKinley
Auditor Pro Tem of the City
of Portland

R. S.

Com'r Bowes
1-30-45
GJL chv

JAN 30 1945
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APPROVED
 JAN 30 1945
 By I. G. Apperson
 Chief Civil Engineer
 Reg. Prof. Engr. 219

APPROVED
 JAN 26 1945
 By Ben S. Morrow
 City Engineer
 Reg. Prof. Engr. No. 1152

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W.A.B.
 THURSDAY

Filed FEB 8 1945

Robert J. Sawyer
 Auditor pro tem
 of the CITY OF PORTLAND

By R. S. WEY
 Deputy

THE FOLLOWING IS THE OFFICIAL VOTE OF THE FOREGOING COUNCIL:

NAME	YEAS	NAYS
BOWES	1	
COOPER	1	
LEE	1	
PETERSON	1	
RILEY	1	