

## ORDINANCE No. 95557

An Ordinance granting a revocable permit to the First National Bank of Portland, Oregon and John O. Heintz to construct and maintain a wooden loading platform in the sidewalk area on the south side of East Burnside Street between S.E. 3rd Avenue and S.E. 2nd Avenue, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the First National Bank of Portland, Oregon and John O. Heintz has through R. W. Lengfield, Trust Officer of said bank, applied for permission to construct and maintain a wooden loading platform 20 feet in width including an existing platform, and 38 feet in length in the sidewalk area in the south side of East Burnside Street between S.E. 3rd Avenue and S.E. 2nd Avenue adjoining Lot 8, Block 66, East Portland, and that such a platform is needed in order to handle merchandise being loaded or unloaded in East Burnside Street under the bridge at said location and that granting of the desired permit under certain conditions will not be detrimental to the public interest; therefore, a revocable permit is hereby granted to the First National Bank of Portland, Oregon and John O. Heintz (hereinafter collectively referred to as the grantee) to construct and maintain a wooden loading platform 20 feet in width including an existing platform, and 38 feet in length, the said platform to be constructed in accordance with the attached plan marked Exhibit "A" and hereby made a part of this ordinance, this permit being granted subject to the following further conditions:

(a) The grantee shall construct and maintain a stairway at the westerly end of the said platform not less than 3 feet in width, as shown on the attached plan marked Exhibit "A".

(b) This permit is for the use of street area only and shall not exempt the grantee from taking out a permit from the Bureau of Buildings for the construction of said platform, or from taking out any licenses or permits required by any existing ordinances for any operation, construction and/or maintenance carried on under the permit hereby granted.

(c) The grantee shall hold the City of Portland, the City Engineer, and each and all of the officers and employes 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.

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(d) 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. Upon revocation, the grantee shall within thirty (30) days remove the said loading platform from the sidewalk area as required by and to the satisfaction of the City Engineer.

(e) The City Auditor shall cause a certified copy of this ordinance to be recorded by the County Clerk of Multnomah County in the appropriate record of deeds in his office, and the grantee shall reimburse the City of Portland for the cost of such recording, this permit not to be effective until such reimbursement of cost has been made.

(f) 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.

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 said urgently needed platform may be constructed 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, **DEC** 14 1951

*Herthy McCullough Lee*  
Mayor of the City of Portland

Attest: *Will Gibson.*

Auditor of the City of Portland

Calendar No. 6416

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THURSDAY

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Bennett	/	
Bowes	/	
Peterson	/	
Lee	—	

FOUR FIFTHS CALENDAR	
Bean	
Bennett	
Bowes	
Peterson	
Lee	

INTRODUCED BY

Wm. A. Bowes

DRAWN BY

GJL:dw

Date 11-29-51

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works WAB

City Attorney

NOTED FOR CITY AUDITOR

RLM

JHL

APPROVED

Date

By

Chief Civil Engineer

Date 11-29-51

By

L. G. Apperson  
City Engineer

Filed DEC 6 1951

*Will Gibson*  
Auditor of the CITY OF PORTLAND

By *R. S. MEY*  
Deputy