

158750

ACCEPTANCE

RECEIVED

AUG 8 1986

OFFICE OF THE
CITY AUDITOR

Portland, Oregon July 14, 19 86

JEWEL LANSING

Auditor of the City of Portland
Room 202, City Hall
Portland, Oregon 97204

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 158750, passed by the Council July 10, 1986, granting a revocable permit to Western States Chiropractic College to install and maintain a College Identification sign with a concrete base in the street area of NE 132nd Avenue at its intersection with NE Morris Court, at a fee of \$119.50,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

Western States Chiropractic College

J. S. Van Horn
Dean for Administration

2900 NE 132nd Avenue

Portland, OR 97231

Address

APPROVED AS TO FORM

Approved as to form:

L. Rogers
CITY ATTORNEY
City Attorney

*When an acceptance is signed by an officer of a firm or corporation, his or her official title must be stated.

ORDINANCE NO.

158750 .

An Ordinance granting a revocable permit to Western States Chiropractic College to install and maintain a College Identification sign with a concrete base in the street area of NE 132nd Avenue at its intersection with NE Morris Court, at a fee of \$119.50, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Western States Chiropractic College, 2900 NE 132nd Avenue, Portland, Oregon 97231, c/o Jack Van Horn, Dean of Administration, has requested permission to install and maintain a College Identification sign with a concrete base in the street area on the east side of NE 132nd Avenue at its intersection with NE Morris Court adjacent to the permittee's property (Tax Lot 264 of Lot 2, Richland Add).
2. The design of the sign was approved by Multnomah County prior to annexation of this area to the City of Portland and the Portland Bureau of Buildings has no objections to the placing of the sign providing it displays no advertising other than the college name, clinic, and logo.
3. That the granting of this request, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Western States Chiropractic College, permittee, to install and maintain the College Identification sign with a concrete base described in Section 1-1 and Section 1-2 above, subject to the following conditions:
 - (1) The sign and base will not be longer than 8 feet or extend above the ground level more than 4 feet 10 inches, and will be in conformance with the sign picture that accompanied the application for this permit, and now on file in the City Engineer's office.
 - (2) The sign shall contain no advertising other than the college name, clinic and logo, and further that the sign shall not extend more than 2 feet into the street area and be located not closer than 7 feet from the curb.
 - (3) This permit is for the use of the street area only, and shall not exempt the permittee from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except as herein stated, and said sign except for location, shall comply with applicable zoning requirements of the area involved.
 - (4) 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 right. Immediately upon the expiration of this permit, or upon its sooner revocation by the Council, the permittee shall remove said installations from the street area as required by and to the satisfaction of the City Engineer.

- (5) The permittee shall, a minimum of two (2) working days prior to beginning installation of the concrete base and sign, notify the Inspection Division office (796-7148) of the proposed work schedule.
- (6) Before installation begins, the permittee shall obtain from the Traffic Engineer his requirement as to hours of work, traffic control, and the placing of necessary signs and barricades.
- (7) 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 cost 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.

- (8) The permit granted is personal to the permittee only and cannot be transferred, assigned or otherwise conveyed, and will require insurance with limits of coverage that will meet the maximum requirements for liability of a public body as set forth in ORS 30.270 or as it may be required by subsequent amendment and naming the City, its officers, agents and employees as additional insured.
- (9) The permittee shall pay the permit fee of \$119.50 required by Section 17.24.020 of the City Code.
- (10) If during construction under this permit it becomes necessary or expedient to modify the location or plan for the concrete base and sign, the permittee shall first obtain the approval of the City Engineer on revised plans filed with the City Engineer.
- (11) The permittee shall reimburse the City for the cost of filing by the City Auditor of a certified copy of this Ordinance with the Records Division of Multnomah County.

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 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 installation and maintenance of the concrete base and sign; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUL 10 1986**

Commissioner Margaret D. Strachan
Harry A. Hendrickson/sdg
June 18, 1986
15983442/0126/834

Jewel Lansing
Auditor of the City of Portland
By *Doris E. O'Leary*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LINDBERG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCHWAB	<input checked="" type="checkbox"/>	<input type="checkbox"/>
STRACHAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CLARK	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Calendar No. 1393

ORDINANCE No. 158750

Title

An Ordinance granting a revocable permit to Western States Chiropractic College to install and maintain a College Identification sign with a concrete base in the street area of NE 132nd Avenue at its intersection with NE Morris Court, at a fee of \$119.50, and declaring an emergency.

Filed JUL 1 1986

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By Edna Rivera
Deputy

INTRODUCED BY

Commissioner Margaret D. Strachan

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities *MDS/lp*

Works

BUREAU APPROVAL

Bureau:

Transportation Engineering

Prepared By:

Date:

Harry A. Hendrickson 6/18/86

Budget Impact Review:

☐ Completed ☒ Not required

Bureau Head:

R. O. Schmidt
R. O. Schmidt, P.E.

CALENDAR

Consent ☒

Regular

NOTED BY

City Attorney

City Auditor

City Engineer Approved:
Richard O. Schmidt, P.E.

By: *R. O. Schmidt*