

Ordinance No. 10685

An Ordinance to provide for the time and manner of constructing a sewer in East Taylor and East Thirty-second streets, from a point in East Taylor street 115 feet east of the east line of East Thirty-first street to a point 16 feet east of the west line of East Thirty-second street and thence north to a connection with the sewer in East Thirty-second street, at the expense of the property benefited by such sewer, as provided by Section 123 of the City Charter.

The City of Portland does ordain as follows:

Section 1. The proposed sewer in East Taylor and East Thirty-second street from a point in East Taylor street 115 feet east of the east line of East Thirty-first street to a point 16 feet east

of the west line of East Thirty-second street and thence north to a connection with the sewer in East Thirty-second street, shall be constructed and the construction thereof superintended at the expense of the property benefited by such sewer, as provided by Section 123 of the City Charter, and shall be completed as hereinafter provided, within thirty days after the signing of the contract by the parties thereto.

Section 2. That portion of the street necessary to be used for the 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 condition as the same was when the work was begun, except such portions as the Committee on Sewers and Drainage may direct to be omitted for the purpose of making other improvements.

Section 3. The sewer improvement herein provided for shall consist of putting in a sewer of terra-cotta pipe of eight inches, inside diameter from a point in East Taylor street 115 feet east of the east line of East Thirty-first street to a point 16 feet east of the west line of East Thirty-second street, thence 10 inches inside diameter north to a connection with the sewer in East Thirty-second street, with catch basins, man-holes, lamp-holes, and branches at such points as the Committee on Sewers and Drainage and the Superintendent of Streets may designate, and the work to be done and the material furnished shall be strictly in accordance with plans and specifications therefor, to be prepared by the Superintendent of Streets, and filed in the office of the Auditor before bids for constructing said sewer are invited.

Section 4. The contractor or shall take 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 Common Council of the City of Portland.

Section 5. The contract shall contain a provision that for each day required to complete said contract, after the expiration of the time herein fixed for its completion, the contractor or contractors shall forfeit to the City of Portland for its use and benefit the sum of five dollars.

The contract shall contain a stipulation to the effect that the firm, person 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.

The contract shall contain a stipulation that warrants shall be drawn and payments shall be made in accordance with the provisions of Ordinance No. 9183, entitled, "An Ordinance to protect material men, laborers and sub-contractors, who shall furnish labor or material to contractors for the improvement of streets or construction of sewers," and Ordinance No. 9248, as amended, entitled, "An Ordinance to regulate the time and manner of improving streets and constructing sewers and to determine the cost thereof, also to regulate the manner of letting contracts for the improvement of streets and construction of sewers, accepting work done thereunder and drawing warrants in payment therefor."

Section 6. The Committee on Sewers and Drainage are hereby authorized and directed to advertise for and receive proposals for the construction of the sewer in this Ordinance provided for and report the same to the Common Council, and thereafter to enter into contract with the person, firm or corporation to whom the Common Council may award the contract.

Section 7. The Auditor of the City of Portland is hereby appointed to estimate the proportionate share of the cost of such sewer to be assessed to the property benefited thereby in accordance with the provisions of Section 123 of the Charter of the City of Portland.

Passed the Common Council, February 16th 1898.

A. N. Campbell,

Auditor.

Approved, February 17th 1898.

S. Penneyer,

Mayor.

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