

110
40702
Ordinance No. 40702

An Ordinance granting a revocable permit to the Columbia Tire Corporation to construct and maintain a twelve-inch sewer in Arlington Place from the west line of Swinton to the existing sewer in Albina avenue, under certain restrictive conditions, and declaring an emergency.

WHEREAS, the Columbia Tire Corporation has made application for a permit to construct and maintain a twelve-inch sewer in Arlington Place from the west line of Swinton to the existing sewer in Albina avenue, so as to provide adequate sanitary facilities for its manufacturing plant; and,

WHEREAS, the construction and maintenance of the said sewer will be a protection to the public health and probably will not cause an overloading of the Albina Avenue Trunk Sewer for many years to come; therefore,

The City of Portland does ordain as follows:

Section 1. That a revocable permit be and is hereby granted to the Columbia Tire Corporation, its lessees, successors and assigns, to construct and maintain a twelve-inch sewer in Arlington Place from the west line of Swinton to the existing sewer in Albina avenue under the following restrictive conditions:

1 - The grantee shall submit in duplicate plans and profile drawings showing the exact location of the sewer within street lines, and no construction work shall be undertaken by the grantee until the City Engineer shall have approved the said plans and profile drawings.

2 - All construction and maintenance work on the said sewer shall be done under the supervision and to the satisfaction of the City Engineer, and the cost of all inspection and supervision by the City Engineer shall be borne by the grantee.

3 - The permit hereby granted is revocable at any time at the pleasure of the Council, and no expenditure of money thereunder, or lapse of time, or other act or thing, shall operate as an estoppel against the City or be held to give the grantee any vested or other right.

4 - Upon revocation of this permit by the Council, the grantee shall within thirty days totally remove or partially remove the said sewer from the street area in a manner satisfactory

to the City Engineer and place the portions of street area affected by said removal of sewer in a condition as good as are adjacent portions of street area at the time of removal. All to be done as directed by and to the satisfaction of the City Engineer.

5 - The use of the said sewer shall be discontinued at any time when the City Engineer shall serve notice on the grantee that the use of the said sewer interferes with the proper operation of the Albina Avenue Trunk Sewer.

6 - This permit shall not in any manner relieve the grantee from liability of payment of assessments which may be levied by the City of Portland against the property of the grantee for construction of sewers to provide drainage and sanitary facilities for the said property in the same manner and proportion that the said assessments would have been levied against the property of the grantee in the event that this permit had not been granted.

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 public health may be at once protected through the prompt installation of adequate sanitary and drainage facilities for an important local industry; therefore, an emergency is hereby declared and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, FEB 1 1922

GEO. L. BAKER

Mayer of The City of Portland

ATTEST:


Auditor of The City of Portland