

ORDINANCE NO. 78756

An Ordinance amending Section 20-6353 of the License and Business Code (Ordinance No. 76398) by inserting a provision in regard to indemnity requirements, which was apparently omitted by inadvertence in drafting the code, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the words "either make a deposit of \$1000.00 in cash with the City Treasurer or" were apparently omitted from the third line after the word "business" and before the word "file" of Section 20-6353 of the License and Business Code (Ordinance No. 76398); now, therefore, said section is hereby amended so as to read as follows:

Section 20-6353. INDEMNITY REQUIREMENTS. Any person licensed to engage in the business designated and described in this article, shall, before a license is issued to engage in the business, either make a deposit of \$1000.00 in cash with the City Treasurer or file with the bureau of licenses a surety bond in the penal sum of \$1000.00, premium paid and payment noted on the bond; or, in lieu of either said cash deposit or surety bond, a liability insurance policy in the sum of \$1000.00 executed by any insurance company licensed and authorized to write liability insurance in the state of Oregon. The bond, or the insurance policy shall, each, be conditioned that the licensee, his surety or insurer will pay any adjudicated claim within the limitation of the liability of \$1000.00 within ten days after the date of the final adjudication of any claim. The bond or the liability insurance shall be further conditioned that the licensee and the surety or insurer will be liable for injuries to, or the death of, any person and for damages to the property of any person, caused by the careless, negligent, or unlawful act of the driver of the vehicle rented or hired out. The liability of said bond or liability insurance shall not exceed the sum of \$1000.00 arising out of any one accident. Said bond or insurance policy shall cover and be kept in full force and effect on each motor vehicle when rented, or when hired out during each annual license period. No such bond or liability insurance policy shall be cancelled, unless the city is given thirty days' notice in writing in advance of the intention of the withdrawal or cancellation, which notice shall be filed with the bureau of licenses. In the event of the said withdrawal or cancellation, the licensee shall renew said bond or insurance policy, and deposit or file such renewal within

five days of the effective date of withdrawal or cancellation. Failure so to do shall be cause for the revocation of the license granted by this article. The licensee shall have authority, by virtue of his license, to include in the amount of the compensation exacted or required from any person who rents or hires out the motor vehicles of the licensee, an additional sum to cover the licensee's costs of indemnity, or the licensee may accept from any person renting or hiring any motor vehicle of the licensee, indemnity protection in any form that may be agreed upon. Any person sustaining personal injuries or property damage caused by the careless, negligent, or unlawful act of the driver of any motor vehicle rented or hired out under the terms of this article, or, in case of death resulting from personal injuries, the personal representative of the deceased, is hereby authorized to institute an action against the licensee, the surety, or against the liability insurance company on his own relation in the name of the city and to prosecute the same to final judgment for his own use and benefit as the fact may appear.

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: That no unnecessary delay should prevent a prompt correction of ordinance provisions; 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 MAY 27 1943

Wm. C. Russell
PRESIDENT OF THE COUNCIL AND ACTING

Mayor of the City of Portland

Will E. Gibson

L.E.L.

Attest:

R. & L.

Auditor of the City of Portland

5-21-43

Commissioner Cooper

LEL-3D

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K.L.C.

Thursday

THE FOLLOWING IS THE OFFICIAL VOTE ON THE FOREGOING ORDINANCE		
	YEAS	NEYS
BOWES	/	
CLYDE	/	
COOPER	/	
PETERSON	/	
RILEY		

Filed MAY 28 1943



Auditor of the CITY OF PORTLAND

By ELBERT G. ROFF

Deputy