

Amended by Ord. 1438

ORDINANCE NO. 1433

AN ORDINANCE providing for the time and manner of improving Ninth Street between the West line of Elm Street and the West Line of Cottage Street in the City of Albany, Oregon, providing how the cost of such improvement shall be paid; the penalty and damage to the City of Albany by the person or persons making such improvement if the same shall not be completed within the time agreed upon and the giving of a good and sufficient bond for the faithful performance of the work of such improvement of said portion of said street and providing for the giving of notice by the Recorder of the City of Albany for bids for the completion of such improvement and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

SECTION 1. That Ninth Street from the West Line of Elm Street to the West line of Cottage Street in the City of Albany, Oregon, shall be improved in the following manner, to-wit:

1. By grading said street to the proper subgrade.
2. By surfacing the roadway of said street full width with full intersections with a six inch gravel base and a 1 inch oil mat surface to be approved by the Council.
3. By laying and constructing concrete gutters.
4. By constructing concrete curbs and sidewalks wherever necessary.
5. By installing a proper drainage system.

Said improvement to be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans and specifications of Walter W. Larsen, engineer of said City for the making of such improvement, which said plans, specifications and estimates were filed in the office of the Recorder of the City of Albany, Oregon, on the 30th day of September 1937, endorsed "Specifications for the improvement of Ninth Street from the West line of Elm Street to the West line of Cottage Street."

The cost of making of said improvement of said portion of Ninth Street shall be paid out of funds collected and arising upon and out of the assessments hereinafter to be made, ascertained and declared by the Council of the City of Albany, Oregon, on the lots or parts of lots adjacent to said portion of said Ninth Street so to be improved and especially and particularly benefited thereby as provided by the Charter of said City.

Said improvement of said portion of Ninth Street shall be completed on or before the 15th day of June, 1938.

All bids for the making of said improvement of said street deemed unreasonable by the Council of the City of Albany may be rejected.

Any firm, person or corporation with whom any contract may be entered into by the City of Albany for the making of said improvement shall before commencing said improvement and at the time of signing such contract make, execute and deliver to said City good and sufficient bond with good and sufficient surety in the sum of \$4100.00 for the faithful performance of such contract.

SECTION 2. If the person, firm or corporation entering into any contract with the City of Albany to make such improvement of said Ninth Street shall not complete the same at the time mentioned and specified in such contract, said City shall be deemed to suffer damages on account thereof to the amount of \$25.00 per day for each and every day the completion of said work is delayed beyond the time stated in said contract, which amount shall be paid by such contractor doing the work at the completion thereof unless the time of the completion of such contract be extended by the Council.

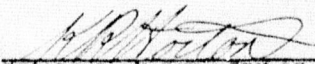
SECTION 3. The Recorder of the City of Albany, Oregon, is hereby ordered and directed to immediately give proper notice for bids for the making of such improvement of said portion of Ninth Street by publication of such notice ten days in the Albany Democrat Herald, a daily newspaper of general circulation published in the City of Albany, Oregon, fully describing in such notice the time and manner of making such improvement of said portion of said street.

SECTION 4. Whereas, the peace, health and safety of the people of the City of Albany requires that this ordinance become immediately effective, therefore an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its final passage by the Council and approval by the Mayor.

Passed by the Council November 24, 1937.

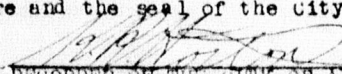
Approved by the Mayor November 24, 1937.

C.R. Ashton, MAYOR

ATTEST: 
RECORDER OF THE CITY OF ALBANY, OREGON.

I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, hereby certify that the annexed and foregoing copy of Ordinance # 1433, has been by me carefully compared with the original Ordinance Bill #1546, on file in my office, and that it is a true and correct copy of all of said bill, passed by the Council November 24, 1937, and approved by the Mayor, November 24, 1937.

Witness my hand and official signature and the seal of the City of Albany,
this 26th day of November, 1937.


RECORDER OF THE CITY OF ALBANY, OREGON.