

ORDINANCE NO. 1646

A BILL FOR:

AN ORDINANCE providing for the time and manner of constructing main sewers in the City of Albany, Oregon, in and upon the following described streets and highways of said City, to-wit:

Beginning at the man hole on the Geary Street trunk sewer at the intersection of Geary and Willamette Streets in the City of Albany, Oregon, and running thence Easterly on Willamette Street to Columbus Street thence Southerly along Columbus Street to a point near the south line of the new Pacific Highway, a total distance of 3800 feet, and with branch main sewer lines extending from a point of said main sewer where the same intersects the old Pacific Highway and extending westerly therefrom along said old Pacific Highway a distance of 560 feet; also beginning at said point on said Highway and running thence Easterly along said Highway a distance of 680 feet; also a branch of said main line beginning at the point where the same terminates at the new Pacific Highway and running thence Westerly along said Highway a distance of 670 feet; also beginning at the point where said main sewer terminates at the new Pacific Highway and running thence Easterly along said Highway a distance of 1270 feet;

Also beginning at a point on the main sewer now in place at the intersection of Thirteenth and Elm Streets in the City of Albany, Oregon, and running thence Northerly on Elm Street a distance of 270 feet.

providing how the cost of such improvement shall be paid, the penalty or 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, and providing further for the giving by the Recorder of said City of Albany, notice for bids for the completion of said improvement, and declaring an emergency.

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

Section 1. That main sewers be constructed within the City of Albany, Oregon, in and upon the following described Streets and Highways of said City, to-wit:

Beginning at the man hole on the Geary Street trunk sewer at the intersection of Geary and Willamette Streets in the City of Albany, Oregon, and running thence Easterly on Willamette Street to Columbus Street to a point near the south line of the new Pacific Highway, a total distance of 3800 feet, and with branch main sewer lines extending from a point of said main sewer where the same intersects the old Pacific Highway and extending Westerly therefrom along said old Pacific Highway a distance of 560 feet; also beginning at said point on said Highway a distance of 680 feet; also a branch of said main line beginning at the point where the same terminates at the new Pacific Highway and running thence Westerly along said Highway a distance of 670 feet; also beginning at the point where said main sewer terminates at the new Pacific Highway and running thence Easterly along said Highway a distance of 1270 feet;

Also beginning at a point on the main sewer now in place at the intersection of Thirteenth and Elm Streets in the City of Albany, Oregon and running thence Northerly on Elm Street a distance of 270 feet.

That said improvements be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans and specifications and estimates therefor of Walter W. Larsen, City Engineer of said City, filed in the office of the Recorder of the City of Albany on the 26th day of September, 1945.

The cost of the construction of said main sewers shall be paid out of the fund to be created by the sale of the sewer bonds as now authorized by the Charter of the City of Albany, Oregon.

That the construction of said main sewers shall be completed on or before two months from the date of the execution of the contract for the construction of the same.

The Council of the City of Albany hereby reserves the right to reject any and all bids for the construction of said sewers.

Any person, firm or corporation with whom any contract may be entered into by the City of Albany for the construction of said main sewers shall, before commencing said work and at the time of signing such contract, make, execute and deliver to the City of Albany a good and sufficient bond, with good and sufficient surety or sureties, in a sum equal to fifty per cent of the amount of the bid therefor, conditioned for the faithful performance of such contract in the manner provided by law.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany for the construction of said main sewers shall not complete the same within the time stipulated in said contract and as herein provided the contractor shall pay to the City of Albany the sum of \$25.00 per day for each day of delay required to complete said contract beyond said specified time, said sum to be as fixed and liquidated damages to said City by reason of such delay.

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Should the City of Albany or its authorized Agents cause the delay of the completion of said contract beyond the time specified therein for the completion thereof, then the contractor shall be allowed additional time for the completion thereof, said additional time not to be greater than the actual delay caused by said City or its Agents, as may be determined by the City Engineer, whose decision shall be binding upon all parties.

Section 3. The Recorder of the City of Albany is hereby ordered and directed to immediately give proper notices for bids for the construction of said main sewers by a publication thereof for eight days in the Albany Democrat-Herald, a newspaper of general circulation published in the City of Albany, Linn County, Oregon, fully describing in said notice the time and manner of doing the work as provided herein.

Section 4. WHEREAS, the peace, health and safety of the people of the City of Albany are involved. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Council and approval by the Mayor.

Passed by the Council, September 26, 1945.

Approved by the Mayor, September 26, 1945.

G. C. KNOELL
Mayor

Attest:

C. R. ASETON
Recorder of the City of Albany, Oregon.

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of Ordinance No. 1646 has been by me carefully compared with the original Ordinance Bill No. 1767, was passed by the Council, Sept 26, 1945 and approved by the Mayor on the 26th day of Sept. 1945

Witness my hand and official signature and seal of the City of Albany, Oregon, on this 27th day of Sept. 1945.

C. R. Ashton
Recorder of the City of Albany, Ore.