

ORDINANCE NO. 2003

AN ORDINANCE providing for the time and manner of improvement of Maple Street from the south line of 18th Street to the south line of 19th Street, 19th Street from the east line of Walnut to the west line of Maple and from the south line of Maple Street at a diagonal and at right angles to where it intersects the north line of 99E in the City of Albany, Oregon 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 on 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 for the giving by the Recorder of said City of 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 Maple Street from the south line of 18th Street to the south line of 19th Street, 19th Street from the east line of Walnut to the west line of Maple and from the south line of Maple Street at a diagonal and at right angles to where it intersects the north line of 99E in the City of Albany be improved in the following manner, to-wit:

1. By grading said streets to the proper sub-grade.
2. By laying and constructing concrete gutters.
3. By constructing concrete curbs.
4. By sidewalks where necessary.
5. By installing a proper drainage system.

Said improvements to be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of Harold Poling, Engineer, which said plans, specifications and estimates were filed in the office of the Recorder of the City of Albany on the 13th day of April, 1949.

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

Said improvement shall be completed by the 30th day of September, 1949.

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

Any person, firm 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 a good and sufficient bond with sufficient surety thereon to be approved by the Mayor of the City of Albany in a sum equal to fifty percent of the amount to be paid under such contract for the faithful performance thereof.

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

Section 3. The Recorder of the City of Albany is hereby ordered and directed to immediately give proper notice for bids for making of said improvement by publishing such notice ten days in the Albany Democrat-Herald, a newspaper of general circulation published in the City of Albany, fully describing in said notice the time and manner of doing said work of improving said portion of said streets.

Section 4. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the citizens of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and its approval by the Mayor of the City of Albany.

Attest:

Approved by Mayor June 22, 1949
Passed by council June 22, 1949

Mayor