

Repealed by Ord 3142
Repealed
11-9-49

ORDINANCE NO. 2140

AN ORDINANCE PROVIDING FOR THE TIME AND MANNER OF CONSTRUCTING MAIN SEWERS IN THE CITY OF ALBANY AND AUTHORIZING AND INSTRUCTING THE RECORDER TO ADVERTISE FOR BIDS AND DECLARING AN EMERGENCY.

Whereas heretofore the council by Resolution No. 105 did authorize and direct the engineers, Cornell, Howland, Hayes & Merryfield to prepare plans and specifications and estimates of the cost in connection with the proposed main sewer which would serve the southern portion of the city which would be bounded by the extension of Montgomery Street and the extension of Main Street and serving the area that is occupied by the school as being constructed by the School District No. 5, Linn County, Oregon, known as Sunrise School.

Whereas plans and specifications have been submitted and were filed on the 1st day of November, 1949 in the office of the Recorder of the City of Albany and that the council heretofore by Resolution No. 105 did declare its purpose and intention to make such improvement and by following the plans and specifications which called for the extension of Montgomery Street sewer southerly to Queen Street and easterly on Queen Street to a point which is north of the northerly extension of the west line of the property owned by School District No. 5, Linn County, Oregon.

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

Section 1. That the main sewers which are to be constructed under the plans and specifications which are on file herein are to follow the following line, to-wit:

That the improvements and the construction are to be made in accordance with the plans and specifications and estimates that were filed in the office of the Recorder of the City of Albany on the 1st day of November, 1949 by the engineers, Cornell, Howland, Hayes & Merryfield, who were directed to make such plans and specifications and estimates and these have heretofore been approved.

That the cost of the construction of said main sewers shall be paid out of a fund to be created by the sale of sewer bonds as now authorized by the Charter of the City of Albany or from such other funds or by such levy as might hereafter be made against the property that might be benefited by the construction of said main sewers and in such proportion as the properties are benefited where they are permitted to use the main sewer without the necessity of constructing any laterals.

That the construction of the main sewers contemplated here shall be completed on or before _____ days from the date of the execution of the contract for the construction of the same.

The council of the City of Albany reserves the right to reject any and all bids.

The contractor whose bid may be accepted before commencing work and before the time of signing the contract shall make, execute and deliver to the City of Albany a bond with good and sufficient surety in the sum equal to fifty (50%) percent of the amount of the bid, conditioned upon the faithful performance of such contract, in the manner provided by law and in accordance with the plans and specifications which are a part of the contract.

Section 2. 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 ten days prior to the time the bids are to be opened for the construction, said publication to be 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 and publishing said notice at least twice during said ten day period.

Section 3. 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 November 1, 1949

Approved by the Mayor November 1, 1949

James M. Savage
Mayor

ATTEST:

E. J. Fortmiller
Recorder