

ORDINANCE NO. 2143

AN ORDINANCE PROVIDING FOR THE TIME AND MANNER OF CONSTRUCTING A LATERAL SEWER IN THE CITY OF ALBANY, OREGON, SETTING OUT HOW THE COST SHALL BE PAID AND DEEMING THIS RECORDER TO GIVE NOTICE OF INVITATION TO BID AND DECLARING AN EMERGENCY.

Whereas heretofore and by Resolution No. 109 the City Council of the City of Albany, Oregon having received the estimate of the cost of a lateral sewer which is to run from the southerly most extension of the lateral on Lafayette Street in the City of Albany, Oregon and running thence southerly to the Sunrise School which is on the property of School Board No. 5, Linn County, Oregon, and such report having been filed on November 3, 1949 and such plans and specifications and estimates being satisfactory, and by said resolution declares its intention to make such improvement by constructing such lateral sewer to serve the school known as Sunrise School, as constructed by School District No. 5, Linn County, Oregon.

Whereas the said School Board has agreed to pay seventy (70%) percent of the total cost of the construction together with the engineering and other costs that might be incurred, and

Whereas the notice of intention to improve is hereby eliminated for the reason that the School Board is to accept seventy (70%) percent of the cost by agreement and the remaining cost to be paid by the City of Albany out of the sewer fund and is intended to be reimbursed by any connections that may be made by the adjoining property owners and by agreement with the City,

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

Section 1. That lateral sewer be constructed in the City of Albany, Oregon beginning at the southerly extension of the existing lateral of Lafayette Street in the City of Albany, Oregon and extending southerly to serve Sunrise School which is located on the property of School District No. 5, Linn County, Oregon, a distance of approximately 1,000 feet.

That the improvements be made in accordance with the plans and specifications and estimates heretofore filed at the office of the City Recorder of the City of Albany, Oregon on the 9th day of November, 1949. The cost of the construction of said lateral sewer shall be paid by contribution of School District No. 5, Linn County, Oregon, of seventy (70%) percent of the total cost of the work including engineering and advertising cost, and the balance of thirty (30%) percent be defrayed by the City of Albany, Oregon from the sewer fund and the City may be reimbursed by property owners who might subsequently use said lateral, all of which shall be by agreement between the City and the property owners that might subsequently use the proposed lateral.

Section 2. That the Recorder of the City of Albany, Oregon is hereby directed to immediately give proper notice inviting proposals for making such improvement referring to the plans and specifications filed in his office and the time when the work shall be completed. Such notice shall be published ten (10) days in the Albany Democrat-Herald, a newspaper of general circulation printed and published in the City of Albany, Linn County, Oregon.

Section 3. That the construction of such lateral sewer shall be completed on or before the 15th day of December, 1949. That any firm, corporation with whom any contract shall be made for the construction of said lateral shall, before commencing the work and before the signing of contract, make and execute a good and sufficient bond conditioned for the faithful performance of such contract with good and sufficient surety in the sum equal to fifty percent of the amount of the bid. That the City Council of the City of Albany, Oregon reserves the right to reject any and all bids.

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

Passed by council Nov. 9, 1949

Approved by Mayor Nov. 9, 1949

ATTEST:

E. J. Jothamiller
Recorder

John W. Savage
Mayor