

ORDINANCE No. 539

Time and manner of paving Ferry street from 1st st.
to Water st.

Ord 539

Time & manner of paving Ferry street from the North line of First Street to the South curb line of Water street, providing how the cost of such water improvement shall be paid, the penalty or damages that shall be paid 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 part of said street, and providing for the giving by the Recorder of said City, proper notice for bids for the completion of such improvement of said part of said street, and to decide an emergency.

The People of the City of Albany do ordain as follows:

Section 1: That Ferry street from the North line of First Street to the South curb line of Water Street shall be improved in the following manner, to wit:-

- First: By grading said street to the proper sub-grade.
- Second: By paving the roadway of said street full width with Bituminous Pavement.
- Third: By laying and constructing Bituminous Macadam.
- Fourth: By constructing Inlets.
- Fifth: By constructing Catch Basins.
- Sixth: By laying vitrified sewer pipe.

Said improvements to be made in accordance with the Charter and ordinances of the City of Albany, Oregon, and the plans and specifications and estimates of the City Engineer of said City, for the improvement of Ferry street, filed in the Office of the City Recorder of said City of Albany, on the 22nd day of March 1911, endorsed, City Engineers plans and specifications for the improvement of Ferry street, from the North line of First Street to the South curb line of Water Street, and the estimates of the work to be done on said street and the probable cost thereof.

The cost of the said improvement of said portion of said Ferry street, lying between the South curb line of Water Street and the South line thereof, shall be

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said by the City of Albany out of the general fund of the said City. The remaining portion of the cost of said improvement of said Ferry Street shall be paid out of the funds collected and arising upon and out of the assessment heretofore made, levied and declared by Ordinance No. 536, passed by the Council of the said City of Albany, on the 12th day of April, 1911, and approved by the Mayor of said City, on the 13th day of April, 1911, on the lots and 20% of lots adjacent to said portion of said Ferry Street to be so improved, and especially and particularly benefited thereby, as provided by the Charter of said City.

The improvement of said Ferry Street shall be completed by the 1st day of Oct. 1911. All bids for the making of said improvement of said Ferry Street deemed unreasonable by the Council of said City, may be rejected.

Any firm, corporation or person with which or with whom any contract may be entered into by the said City 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 good and sufficient security, in the sum of \$2000⁰⁰ for the faithful performance of such contract.

Section 2: If the firm, corporation or person entering into any contract with the said City of Albany, to make said improvement of said Ferry Street, shall not complete the same within the time mentioned and specified in such contract, said City shall be deemed to suffer damages on account thereof, to the amount of \$25⁰⁰ 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 is extended by the Council.

All pavement shall be laid in dry and suitable weather, and not otherwise.

Section 3: The Recorder of said City is hereby ordered and directed to immediately give proper notice for bids for the making of said improvement of said portion of said Ferry Street by publishing such notice ten days in the Albany Daily Democrat a daily newspaper.

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published daily in said City of Albany, fully describing in such notice the time and manner of doing the work of said improvement of said Ferris street.

Section 4: Inasmuch as there is urgent necessity for, and the general welfare of said City demands the immediate improvement of said street in the manner aforesaid, in order that the same may be completed before the rainy season sets in, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by said Council, and its approval by the Mayor of said City.

Passed the Council, April 26th 1911.

Approved April 27th 1911.

J. P. Wallace

Mayor of the City of Albany.

Attest: J. M. Redfield

Recorder of the City of Albany.



CITY RECORDER'S CERTIFICATE

STATE OF OREGON,

COUNTY OF LINN.

} ss.

I, F. M. REDFIELD, Recorder of the City of Albany, in Linn County, and

State of Oregon, do hereby certify that the foregoing and annexed copy of

Ordinance No. 539

has been by me carefully compared with the original Ordinance bill No. 591

now on file in my office, and that it is a true and correct copy of all and the whole of said

Ordinance bill No. 591, as passed by the Council of the City of Albany, Oregon, April 26, 1911.

Witness, my hand and official signature and the seal of the City of Albany, this

27th day of April 1911

J. M. Redfield
Recorder of the City of Albany.