

**TITLE:** An ordinance granting a revocable permit to Allan L. Stevens, DBA French's Jewelers, to install, maintain and operate a street clock on City of Albany property, and declaring emergency.

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

**Section 1: REVOCABLE PERMIT GRANTED**

The City Council, after due consideration and study, finds that a permit to install a street clock on City property should be granted and that the location of the street clock would be a public convenience and a substantial benefit to the welfare of the people of the City of Albany, now, therefore, a revocable permit is hereby granted to Allan L. Stevens, doing business as French's Jewelers, its successors and assigns, to install, maintain and, operate a street clock on City property in the City of Albany on the following terms:

- a. **Termination of Permit:** This permit may be revoked by the Council, or operations thereunder may be discontinued voluntarily by the permittee only after twenty days' notice. In the event of such termination, the permittee shall remove said clock hereunder within ninety days.
- b. **Clock:** Detailed plans for the type of street clock to be installed shall be approved by the City Engineer, and the installation thereof under this permit shall be subject to his supervision.
- c. **Location:** The site for location of the street clock shall be as follows:
  1. The West side of the street clock shall be 99 feet East of the East property line of Ferry Street, along the South side of First Avenue.
  2. The North side of the clock shall be 2 feet South from the curb line on First Avenue.
- d. **Installation and Maintenance:** The permittee shall bear the entire cost of installation and maintenance of the clock installed under this permit.

**Section 2: LIABILITY**

The permit granted by this ordinance is subject to the condition that the permittee, its successors and assigns, forever will indemnify and save the City of Albany, its officers, agents and employees harmless from and against any and all liability, loss, cost, damage and expenses, and any and all claims for injury or death to persons, damage to property, directly or indirectly arising from the installation and maintenance and operation of the clock under this permit. The City shall promptly notify the permittee upon receipt of any claim or demand against which it is or may be held harmless by the permittee under this indemnification. As evidenced by its written acceptance of the terms and conditions of this ordinance, as provided in Section 3, the permittee understands and agrees that the within permit is granted only upon, and constitutes the consideration for, this indemnification.

**Section 3: ACCEPTANCE**

This ordinance is not operative until the permittee has filed, with the City Recorder, acceptance of all terms and conditions contained herein, signed by an authorized official of the permittee, and approved as to form by the City Attorney.

**Section 4: EMERGENCY CLAUSE**

In order that no unnecessary delay in making available to Allan L. Stevens, doing business as French's Jewelers, the permit granted under Section 1 hereof, for advancement of public convenience and welfare, this ordinance shall be in full force and effect upon its passage by the Council and approval by the Mayor.

Passed by the Council: December 11, 1968

Approved by the Mayor: December 11, 1968

*Russell W. [unclear]*  
Mayor

Effective Date: December 11, 1968

ATTEST:

*Constance L. [unclear]*  
City Recorder

Acceptance:

12/16/68  
DATE

*Allan L. Stevens*  
A. L. Stevens,  
DBA French's Jewelers