

AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF A PORTION OF FIFTH STREET IN *Warrenton Addition to Astoria* ~~ADDITION~~ BY LAYING A PLANK SURFACE THEREON, AND DECLARING AN EMERGENCY.

WHEREAS, due and regular notice of the election and intention of the Common Council to improve a portion of said Fifth Street for the distance, and in the manner, hereinafter set forth, has been given in accordance with a resolution duly adopted by such Council on the 11th day of September, 1916, as appears from the proof of posting such notice, on file in the office of the Auditor and Police Judge, and the Committee on Streets and Public Ways having made and filed with the said Auditor and Police Judge an estimate of the cost of constructing said improvement, together with specifications for the same, and no remonstrance having been filed against said improvement, and the time for filing such remonstrance having elapsed; therefore,

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That said Fifth Street be improved as follows: Beginning at the East line of the Macadam on Main Street, and running thence along said Fifth Street to the East boundary line of Hemlock Street, all being in said City, -by laying and constructing along the center of such portion of said fifth Street a solid plank surface. This plank surface shall be sixteen feet wide at the east line of the macadam on Main Street, and shall gradually reduce to nine feet in width at a distance of 10 feet from the macadam line, and continue nine feet in width for the remainder of the distance. The planks therefor to be 3" thick, and 18 inches wide, and to be laid upon stringers 4"x6" in size, and by doing all things that may be necessary for the proper laying of said stringers and planks.

Three public places within said City for a period of ten consecutive days and to receive bids for said improvement; to report the same to the Council, and upon the acceptance of the bid of the lowest responsible bidder by the Council, to enter into a contract with such bidder for the construction of the improvement in the manner aforesaid.

Section 3. Said contract shall provide that said improvement shall be made and completed to the satisfaction of said Committee, and that such improvement shall be completed on or before the 16th day of *November*, 1916, unless the time be extended, for good cause shown, by said Committee, and for each day's delay in the completion of said improvement, unless the time be extended as aforesaid, the contractor shall forfeit and pay to the City of Warrenton, as stipulated damages for such delay, the sum of \$250; that said improvement shall be made strictly in accordance with said plans and specifications and this ordinance, and the contractor shall have full charge of the work and shall be responsible for all accidents and injuries occurring upon the portion of said street being so improved, during the progress of the work, and shall save the City of Warrenton harmless from all damages on account of injury or injuries to any person or persons arising from the work on said improvement or in any manner on said portion of said street improved as aforesaid during such work thereon.

Section 4. Said improvement shall be paid for in warrants of the City of Warrenton, drawn upon a special fund, constituted to defray the cost of the improvement, as hereinafter stated, and that payment for the improvement shall be made within 90 days from the time the improvement shall be accepted by said Committee and the Council.

Section 5. The contractor or contractors shall be required to give a bond, with two or more sufficient sureties, conditioned for the faithful performance of said contract.

Section 6. That the Committee on Streets and Public Ways is hereby authorized to make and levy, in pursuance of the provisions of Section 51 of the Charter, as amended, a special assessment sufficient to pay, and for the purpose of paying, for said improvement, upon the following described real property, which will be benefited by said improvement:-

Lot 8 & 9 in Block 12
Lot 9 " " 13
Lot 1A, 2, 3, 4, & 7 " 15 } *in Warrenton Addition to Astoria*

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WHEREAS, due and regular notice of the election and intention of the Common Council to improve a portion of said Fifth Street for the distance, and in the manner, hereinafter set forth, has been given in accordance with a resolution duly adopted by such Council on the 11th day of September, 1916, as appears from the proof of posting such notice, on file in the office of the Auditor and Police Judge, and the Committee on Streets and Public Ways having made and filed with the said Auditor and Police Judge an estimate of the cost of constructing said improvement, together with specifications for the same, and no remonstrance having been filed against said improvement, and the time for filing such remonstrance having elapsed; therefore,

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That said Fifth Street be improved as follows: Beginning on said Fifth Street at the East boundary of Main Street and running thence along said Fifth Street to the East boundary line of Hemlock Street, all being in said City, by laying and constructing along the center of such portion of said Fifth Street a solid plank surface for the width of nine (9) feet, the planks therefor to be 2" thick by 9' long and to be laid on stringers 4" by 6" in size, and by doing all things that may be necessary for the proper laying of said stringers and planks.

Section 2. That said Committee on Streets and Public Ways be, and it hereby is, authorized and directed to advertise for bids for the construction of said improvement by posting notices or calls for bids in three public places within said City for a period of ten consecutive days and to receive bids for said improvement; to report the same to the Council, and upon the acceptance of the bid of the lowest responsible bidder by the Council, to enter into a contract with such bidder for the construction of the improvement in the manner aforesaid.

Section 3. Said contract shall provide that said improvement shall be made and completed to the satisfaction of said Committee, and that such improvement shall be completed on or before the 16th day of November 1916, unless the time be extended, for good cause shown, by said Committee, and for each day's delay in the completion of said improvement, unless the time be extended as aforesaid, the contractor shall forfeit and pay to the City of Warrenton, as stipulated damages for such delay, the sum of \$25.00; that said improvement shall be made strictly in accordance with said plans and specifications and this ordinance, and the contractor shall have full charge of the work and shall be responsible for all accidents and injuries occurring upon the portion of said street being so improved, during the progress of the work, and shall save the City of Warrenton harmless from all damages on account of injury or injuries to any person or persons arising from the work on said improvement or in any manner on said portion of said street improved as aforesaid during such work thereon.

Section 4. Said improvement shall be paid for in warrants of the City of Warrenton, drawn upon a special fund, constituted to defray the cost of the improvement, as hereinafter stated, and that payment for the improvement shall be made within 90 days from the time the improvement shall be accepted by said Committee and the Council.

Section 5. The contractor or contractors shall be required to give a bond, with two or more sufficient sureties, conditioned for the faithful performance of said contract.

Section 6. That the Committee on Streets and Public Ways is hereby authorized to make and levy, in pursuance of the provisions of Section 51 of the Charter, as amended, a special assessment sufficient to pay, and for the purpose of paying, for said improvement, upon the following described real property, which will be benefited by said improvement:-

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Section 7. That the passage of this ordinance at this time, and the taking effect thereof forthwith, is necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Warrenton, and an emergency is, therefore, hereby declared to exist, and this ordinance shall be in full force and effect upon its passage by the Common Council and approval by the Mayor, and this ordinance shall be in full force and effect from such time for the further reason that it touches and affects only municipal business of the City of Warrenton, as contradistinguished from municipal legislation thereof.

Passed by the Common Council this 2nd day of October, 1916.

Approved by the Mayor this 2nd day of October, 1916.

Attest:

George Schmidt
M a y o r.

John Evenden
Auditor and Police Judge.