

ORIGINAL

ORDINANCE NO. 187

AN ORDINANCE PROVIDING FOR THE TIME AND MANNER OF IMPROVING WHEELER STREET FROM ITS INTERSECTION WITH THE COUNTY ROAD ON Albany Avenue ~~STREET~~ AND RUNNING THENCE NORTH ON WHEELER STREET TO PORTLAND AVENUE, THENCE ON PORTLAND AVENUE TO THE MIDDLE OF BLOCKS 31 AND 36 IN FIRST EXTENSION OF WARRENTON.

WHEREAS, the City of Warrenton by general taxstion has provided sufficient funds with which to improve Wheeler Street, from the intersection of the County Road North to Portland Avenue, and

WHEREAS, there is sufficient money in ssid funds with which to improve Portland Avenue from the intersection of Wheeler Street to the center of Blocks 31 and 36 in First Extension of Warrenton, Clatsop County, State of Oregon, Therefore

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That Wheeler Street, from its intersection with the County Road on Albany Avenue ~~Street~~, running thence North to Portland Avenue a distance of 780 feet, and thence West on Portland Avenue from its intersection with Wheeler Street to the center of Blocks 31 and 36 in First Extension of Warrenton, a distance of

1220 feet, be and the same is herewith ordered improved by grading said streets to the established grade to a width of 8 feet, and by planking the said streets with 3" x 12" planks laid upon two 3"x12" and two 4"x6" stringers, said planks to be red or yellow fir lumber, and the Committee on Streets and Public Improvements are hereby directed to advertise for bids for the improvement of said streets and to provide plans and specifications therefore and file them with the Auditor and Police Judge of the City of Warrenton, and to report said bids to the Council, and upon the acceptance of the lowest <sup>& best Responsible</sup> bid by the Common Council, to enter into a contract with such bidder for the construction of the improvement.

The contract shall provide that said improvement shall be constructed and completed to the satisfaction of the Committee on Streets and Public Improvements and that said improvement shall be completed on or before the 15<sup>th</sup> day of June, 1917,

unless the time be extended by ordinance, and for each day's delay in the completion of said improvement, unless the time be so extended by the Common Council, the contractor shall forfeit and pay to the City of Warrenton, as stipulated damages, the sum of \$ 5<sup>00</sup> per day for each day's delay.

That said improvement shall be made strictly as provided by the plans and specifications and this ordinance, and that the contractor shall have full charge of the work and shall be responsible for all accidents and injuries occurring upon the streets during the progress of the work, and shall save the City harmless from all damages on account of any injury to any person or persons happening upon the said portion of said streets while in the course of construction.

The contract shall provide that the said contractor shall, promptly as due, make payments to all persons supplying to the said contractor labor or material for the prosecution and completion of said improvement, and that he will not permit any lien or claim to be filed or prosecuted against the City of Warrenton for or on account of any labor or material furnished him in the construction of said improvement.

That during the performance of the work in the construction of said improvement, no person shall be required or permitted to labor more than eight hours in any calendar day or more than forty-eight hours in any one calendar week, except in cases of necessity, emergency or where public policy absolutely requires it, and in such event, the person or persons so employed for excessive hours shall receive double pay for the over time so employed, and no necessity, emergency or public policy shall be presumed to exist when other labor of like skill and efficiency which has not been employed full time is available, and no person shall be employed by the said contractor in the performance of this contract who is not a citizen of the United States of America or who has not declared his intention to become such.

II.

That payments shall be made in warrents of the City of Warrenton upon the special fund constituted to defray the costs and expenses of the improvement, and that payments shall be made within ninety (90) days from the time the improvement shall be accepted.

The contractor shall be required to give bond, with two or more sureties in the penal sum of \$ 75% of Contract Price, conditioned for the faithful performance of the contract.

Inasmuch as the objects to be obtained by this ordinance will be of great benefit to the people of the city of Warrenton, and there exists and is an urgent necessity that this ordinance should take effect as soon as possible so that the health, peace and safety of the city of Warrenton may be preserved, and emergency is hereby declared to exist and this section therefore shall take effect when approved ~~by~~ and adopted by two thirds of the members of the Common Council, and this ordinance shall become operative immediately upon its approval by the Mayor of the City of Warrenton.

Auditor and Police Judge.



Passed the Common Council this 4<sup>th</sup> day of May 1917  
Approved by the Mayor this 7<sup>th</sup> day of May 1917

Attest.  
John Evenden  
Auditor & Police Judge

J. M. Starn  
Mayor