

A BILL FOR AN ORDINANCE.

ORDINANCE NO. 63.

An Ordinance Providing for the Improvement of that Part of Second Street in the City of Lebanon, Oregon, extending from the South Line of Maple Street to the South Curb Line of Tangent Street.

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WHEREAS, The City Council of the City of Lebanon, Oregon, at a regular meeting thereof held on the 17th day of March, 1914, duly adopted a resolution reciting that the Council deemed it expedient and necessary that that part of Second Street in said City extending from the South line of Maple Street to the South curb line of Tangent Street be improved in the following manner, to-wit:

1. By grading the street to proper sub-grade;
2. By paving the roadway of said street the full width with gravel bitulithic pavement, with full intersections;
3. By laying and constructing gravel bitulithic headers;
4. By constructing proper inlets and catch-basins;
5. By constructing concrete curbs where not already constructed;

AND, WHEREAS, By said resolution, the City Engineer was authorized and instructed to prepare plans and specifications appropriate for such improvements, together with estimates of the work to be done and the cost thereof, and to file the same with the City Recorder;

AND, WHEREAS, The said City Engineer has, in accordance with said resolution, prepared and filed said plans, specifications and estimates, and the same are now on file with the said City Recorder, bearing file mark of April 7th, 1914, and the said City Council, at a regular meeting thereof held on the 7th day of April, 1914, did by resolution duly approve, accept and adopt the same, and declare its purpose

and intention to make the said improvements as therein specified;

AND, WHEREAS, By said last mentioned resolution, the Council declared its intention that all of the grading on said street, and the paving of the street intersections, should be paid for by the City of Lebanon, and the balance of said improvements should be paid for by the owners of abutting property and property specially benefitted thereby; and the total estimated cost of said improvements, as shown by said estimates of the City Engineer, is \$22,265.64, the estimated cost of the said grading and intersections being \$4,788.20, and the estimated cost of the balance of said improvements being \$17,477.44;

AND, WHEREAS, By said resolution, it was ordered that notice of the purpose and intention of the Council to make such improvements should be given by the City Recorder for ten days by publication in the "Lebanon Criterion", a weekly newspaper published in the City of Lebanon, Oregon, said notice to conform to the requirements of Section 199 of the present City Charter;

AND, WHEREAS, Said notice has heretofore been given and published, in all respects as required by said resolution and by the City Charter, the same having been published in the regular weekly issues of said newspaper for April 10th and April 17th, 1914, and proof of said publication is now on file with the said City Recorder;

AND, WHEREAS, The period of twenty (20) days has passed since the date of said first publication, and no remonstrance has been filed signed by the owners of a majority of the property adjacent to said part of Second Street; now, therefore,

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS

FOLLOWS:

Section 1. That the City Council of the City of Lebanon, Oregon, deems it expedient and for the best interests of said City and its inhabitants that that part of Second Street in said City extending from the South line of Maple Street to the South curb line of Tangent Street be, and it is hereby declared and ordered that it shall be, improved in the following manner and particulars, to-wit:

1. By grading the street to proper sub-grade;
2. By paving the roadway of said street the full width with gravel bitulithic pavement, with full intersections;
3. By laying and constructing gravel bitulithic headers;
4. By constructing proper inlets and catch-basins;
5. By constructing concrete curbs where not already constructed.

Section 2. All of said work shall be done and performed in accordance with the plans and specifications mentioned in the preamble of this ordinance and now on file.

Said improvements shall be commenced by the ~~day of~~ *within thirty (30) days after signing of contract,* _____, ~~1914~~, and prosecuted diligently to completion, and shall be completed by the 15th day of October, 1914; and the contract or contracts for said work or any part thereof shall provide for the payment by the contractor to the City of fixed amounts as liquidated damages for each and every day that said work, or the part thereof contracted to be done, shall remain uncompleted after the said 15th day of October, 1914.

Section 3. The contract for said paving shall provide that the contractor shall guarantee the work against any and all defects of material, workmanship or construction which

shall appear within five years from the date when the street is opened to traffic over said paving.

Section 4. The City Recorder shall at once proceed to advertise for bids for making said improvements, by causing to be published for ten (10) days in the "Lebanon Criterion", a weekly newspaper published in said City, a notice inviting proposals for making such improvements, which notice shall refer to the plans and specifications therefor on file as aforesaid, and shall state the time when said work shall be completed. Separate bids shall be therein invited for the several parts of the work, to-wit: for the grading; for the paving, including headers, catch-basins and inlets; and for the curbing. The City reserves the right to reject any and all bids, and the notice shall so state. All bids must be filed with the City Recorder ~~not later than seven o'clock P. M. of the 10th day of May, 1914, and shall be opened by the Council at eight o'clock P. M. of said 10th day of May.~~ *within the time specified in such notice, and not later than two weeks after the date of the first publication thereof.*

Section 5. Each bid must be accompanied by a certified check on some responsible bank, payable to the Mayor of the City of Lebanon, in a sum equal to five per cent. (5%) of the amount of the bid, the same to be returned in the event of the rejection of the bid, but to be retained as liquidated damages against any ~~un~~successful bidder who shall neglect or refuse to enter into a binding contract with said City in accordance with the terms of his bid within ten (10) days after the acceptance of such bid.

Section 6. The cost of said improvements shall be borne as follows, to-wit: The cost of all the grading for said improvements, and the cost of paving the street intersections, shall be borne by the said City of Lebanon, to be paid out of the general fund; the balance of the cost of said improvements shall be borne by the abutting property and property specially benefitted thereby, and shall be assessed against the same in proportion to the benefits, as shall be

hereafter determined.

Section 7. Inasmuch as this ordinance concerns the improvement of streets, it is, under Section 52 of the City Charter, deemed to be for the peace, health and safety of the City, and it shall therefore be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by the Council, by unanimous vote of all members thereof, this 19th day of May, 1914.

Approved by the Mayor this 20th day of May, 1914.

Attest:

W. E. Ellis

Recorder.

W. J. Quinn

Mayor.