

12-18

A BILL FOR AN ORDINANCE AUTHORIZING THE)
MAYOR AND THE RECORDER TO ENTER INTO A)
CONTRACT WITH THE LEBANON RURAL FIRE)
PROTECTION DISTRICT.)

Ordinance Bill No. 23
for 1963
ORDINANCE NO. 1135

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

Section 1. The Mayor and the City Recorder are hereby authorized and directed to enter into a Contract on behalf of the City of Lebanon with the Lebanon Rural Fire Protection District. Said Contract to be as follows, to-wit:

THIS CONTRACT AND AGREEMENT, Made and entered into on this 17th day of Sept, 1963, by and between the CITY OF LEBANON, a municipal corporation of the State of Oregon, First Party, and the LEBANON RURAL FIRE PROTECTION DISTRICT, a municipal corporation, Second Party.

WITNESSETH:

I.

That the First Party is regularly incorporated City of the State of Oregon and maintains fire fighting equipment and a force of men to man the same, and the Second Party is a Rural Fire Protection District organized for the purpose of furnishing to its electorate fire protection under the provisions of Title 99, Chapter 30, O.C.L.A., as amended.

II.

That it is agreed that the City of Lebanon, during the term hereof, shall, upon notice by telephone or otherwise, afford any fire prevention and fire protection aid that can be reasonably furnished by the City for the protection of the property in the Second Party's rural fire protection district, and to Western Veneer Plywood Co., the City of Waterloo, and the City of Sodaville, with whom Second Party has contracts to furnish fire protection, it being understood that the City of Lebanon shall have first claim upon its own fire fighting equipment and that the claim of Second Party shall be secondary to the necessities of the First Party in protecting its own property.

III.

It is further provided that the City's dispatchers, the commanding officer of the fire department, or any unit thereof, shall exercise his judgment from the information received as to the amount and type of equipment which may be spared from the City at the time, and the amount and type of equipment which may be dispatched to said district, and no faulty judgment or ill-advised action on the part of said dispatcher or commanding officer of the fire department, or unit thereof, shall create any liability against the individual or against the City or defeat the right of the City to compensation as herein provided.

IV.

That the Parties hereby agree that the Second Party shall, in its regular Budget and Levy in the fiscal year 1963-64, levy a tax to produce \$ 26000.00,

which is a sum of money equal to that amount budgeted to the City of Lebanon for fire protection services for the fiscal year 1963-64, and shall cause the same to be paid to First Party as hereinafter provided. It is further agreed that should this Contract be renewed by the Parties, the amount to be paid by Second Party may be increased in accordance with the 6 per cent limitation provisions of the law.

V.

It is understood and agreed that the return from the levy shall be paid to the City of Lebanon as rapidly as same are collected and the Second Party binds itself no further than to make the levy and turn over the receipts therefrom.

VI.

This contract shall be in full force and effect commencing the 1st day of JULY, 1963, and terminating on the 1st day of JULY, 1964, it being the purpose and intent of the agreement that it shall be renewable as experience determines the propriety of the levy and the services.

IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed by their officers thereunto duly authorized on this 17th day of Sept, 1963.

CITY OF LEBANON, a municipal corporation

By Jean R. Blalock
Mayor

ATTEST: Van R. Thoms
City Recorder

APPROVED AS TO FORM:

WALTER ST.
City Attorney

LEBANON RURAL FIRE PROTECTION DISTRICT, A municipal corporation

By J. E. Fisher BY Leigh Crossman

By Wayne Oakley BY R. J. Wilson

Passed by the Mayor and approved by the Council this 17th day of September, 1963.

Jean R. Blalock
Mayor

ATTEST:
Van R. Thoms
City Recorder