

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

ORDINANCE BILL NO. 13
for 1969
ORDINANCE NO. 1348

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 this 7th day of October, 1969, by and between the CITY OF LEBANON, a municipal corporation of the State of Oregon, hereinafter called "First Party", and the LEBANON RURAL FIRE PROTECTION DISTRICT, a municipal corporation, hereinafter called "Second Party";

WITNESSETH:

I.

That the First Party is a regularly incorporated City of the State of Oregon and maintains fire fighting equipment and a force of men to man the same, and that the Second Party is a Rural Fire Protection District organized for the purpose of furnishing to its electorate fire protection under the provisions of Chapter 478, ORS.

II.

That it is agreed that the First Party, 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 First Party for the protection of the property in 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 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.

The parties agree that the Second Party shall, in its regular Budget and Levy in the fiscal year 1969-70, levy a tax to produce \$50,654.00, and shall cause the same to be paid to First Party as hereinafter provided. It is further agreed that in succeeding years Second Party will levy a tax to produce the amount agreed upon by the parties in each succeeding fiscal year during the term of this Contract.

V.

It is understood and agreed that the returns 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 for one fiscal year commencing the first day of July, 1969; and it shall be automatically renewed each succeeding year until terminated by either or both of the parties giving notice to the other in January of a fiscal year of its intention to terminate at the conclusion of that fiscal year.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their officers thereunto duly authorized on this 7th day of October, 1969.

CITY OF LEBANON, a Municipal Corporation

By John Eggen MAYOR

ATTEST: Wm R. Howz
Recorder

APPROVED AS TO FORM:
Lawrence Hill
City Attorney

LEBANON RURAL FIRE PROTECTION DISTRICT, a Municipal Corporation

By Silbert Gray

By Robert K. Wilson

By Leigh Crossin

By John W. Clifford

By Wayne Oakley

Section 2. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this *17th* day of *October*, 1969.


MAYOR

ATTEST:


City Recorder