Ordinance No. 81177

AN ORDINANCE authorizing the granting of certain permits to the Seattle Steam Corporation to transport and store certain fuel oil and specifying the conditions thereof.

FILE NO. 216870

Council Bill No.

INTRODUCED: JUL 7 1952	BY: PUBLIC SAFETY
REFERRED: JUL 7 1952	TO: Public Safety
REFERRED:	
REPORTED: JUL 14 1952	VETO:
SECOND READING: JUL 14 1952	PUBLISHED:
THIRD READING: JUL 14 1952	VETO SUSTAINED:
SIGNED: JUL 14 1952	PASSED OVER VETO:
PRESENTED TO MAYOR: JUL 15 1952	APPROVED: JUL 16 1952
FILED: JUL 16 1952	PUBLISHED: JUL 21 1952
ENGROSSED: VOL. S-2 PAGE 420	BY: J.C.

2H 8-50 L. & H. CO. 8638 McG.

Publish
BPW
Bldg
Fire

Richard Mercury
El. 6786
-327 + Henry Bldg

BOND - B18987

Ordinance No. 81177

AN ORDINANCE authorizing the granting of certain permits to the Seattle Steam Corporation to transport and store certain fuel oil and specifying the conditions thereof.

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ENGROSSED: VOL. 82 PAGE 420	BY: J.C.

2M 8-50 L. & H. CO. 8608 McG.

Publish BPW Bldg. Fire

Richard McKay El. 6386 327-1 Army Bldg.

BOND - 818987

JAH:EC 7-7-52

ORDINANCE NO. 84177

AN ORDINANCE authorizing the granting of certain permits to the Seattle Steam Corporation to transport and store certain fuel oil and specifying the conditions thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to petition filed with the City Council under Comptroller's File No. 210270 the Board of Public Works is hereby authorized to issue special permits to the Seattle Steam Corporation as follows:

(a) For the use of tank trailers or tank semi-trailers to convey to storage tanks located on the properties hereinafter described 10.3 gravity (API) fuel oil having an ignition point of 305 degrees Fahrenheit (Cleveland open cup). The application for such permit shall be made on the same form as prescribed by Section 149 of Ordinance No. 80998 (the Traffic Code), but no bond shall be required except as provided by Sec. 5 hereof.

(b) To bring barges loaded with such type of fuel oil to piers No. 57 or 58 and to convey such oil from such barges by means of a pipe line across and under Alaskan Way to the properties hereinafter described; said pipe line to be laid and constructed in the manner and at the location designated and as approved by said Board.

(c) To convey such type of fuel oil to the properties hereinafter described by railroad tank cars. Any such permit shall be issued under authority of and subject to all the provisions of this ordinance.

Section 2. The Superintendent of Buildings is authorized to issue a permit to the Seattle Steam Corporation for the construction and maintenance of two concrete storage tanks, one of 3,000 barrels capacity and one of 2,000 barrels capacity on the property hereinafter described as "A", and one steel tank of 330 barrels capacity on the property hereinafter described as "B", for the purpose of storing therein fuel oil of the type hereinbefore described; said permit to be issued only if said corporation first files with the Superintendent of Buildings detailed plans and specifica-

tions showing the exact location and method and type of construction of said storage tanks, and particularly showing the plan designed to protect walls and foundations that may be affected by such installation; and only if he approves said plans and specifications, a copy of which shall also be submitted to the Chief of the Fire Department and shall be approved by him before the permit is issued.

Section 3. Said corporation shall not make any alterations or repairs in said pipe line or in the storage tanks which may be authorized by any permit issued hereunder without the consent of the Board of Public Works; and any repair or reconstruction which does any damage to any public street or property or which disturbs the surface of any public street shall be restored to its original condition at the sole cost and expense of said corporation.

Section 4. Said corporation shall at all times protect and save harmless the City of Seattle from all claims, actions, suits, liability, loss, costs, expenses or damages of any kind which may accrue or be suffered by any person or persons or property by reason of any acts, work, construction, reconstruction, repair or maintenance performed under permits issued hereunder; and said corporation shall upon notice to it of commencement of any suit or action on account thereof defend the same at its sole cost and expense and in case judgment shall be rendered against said city in such suit or action, said corporation shall fully satisfy such judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the city.

Section 5. Whenever any permit is granted under authority of Section 1 or 2 of this ordinance, said corporation shall within ten (10) days thereafter file a written acceptance of the permit agreeing to its terms and conditions; and within ten days after the granting of the first permit granted under the authority of this ordinance shall file with the City Comptroller a bond in the sum of $5,000.00, executed by itself as principal and a surety company authorized to do business in the State

of Washington as surety conditioned to strictly comply with all the terms and conditions imposed by this ordinance, and any and all permits issued hereunder.

Section 6. The properties hereinabove referred to are described as follows:

(A) 1319 Western Avenue is the address of that real property, situated in King County, Washington, described as:

Beginning at the most northerly corner of lot 3, block 177 Supplemental Sheet No. 27, Seattle Tide Lands; thence southerly along easterly line of said block 177, a distance of 120 feet to the southeasterly corner of lot 4, said block 177; thence westerly at right angles along the southerly line of said lot 4, a distance of 134 feet to a point; thence northerly at right angles, 120 feet to a point in the northerly line of said lot 3, distant 134 feet westerly from the point of beginning; thence easterly 134 feet to the point of beginning, being the easterly 134 feet of lots 3 and 4 of said block 177.

(B) 619 Post Street is the address of that real property, situated in King County, Washington, described as:

That portion of the H. L. Yesler Donation Claim No. 47, township 24 North, range 4 east, W. M. and block 195, Supplemental Sheet 28, Seattle Tide Lands, described as follows:

Beginning at a point on the west line of Post Street, said point being distant north 89°53'30" west 193 feet and north 0° 07' 41" east 142 feet from the stone monument at the intersection of Yesler Way and First Avenue South and also north 0° 07' 41" east 100 feet from the north line of Yesler Way; thence along the west line of Post Street north 0° 07' 41" east 64.752 feet; thence north 31° 45' 10" west 162.312 feet to a point north 31° 45' 10" west 15 feet from the most easterly corner of lot 2, in said block 195; thence south 58° 14' 50" west on a line parallel with and 15 feet from the southerly line of said lot 2, a distance of 96 feet to the northeasterly line of Western Avenue; thence south 31° 45' 10" east along said avenue line 134.897 feet to a point north 0° 07' 41" east 0.121 feet from the southwest corner of lot 4 in said block 195; thence south 0° 07' 41" west 37.366 feet to a point north 0° 07' 41" east 100 feet from the north line of Yesler Way; thence along a line parallel with and 100 feet distant from the north line of Yesler Way, south 89° 53' 30" east 96 feet to the point of beginning, the foregoing described tract being the southeasterly 15 feet in width of lot 2, all of lots 3 and 4 and lot 5, EXCEPT south 100 feet measured on west line thereof, in said block 195, and all that portion of said Yesler Donation Claim lying west of Post Street, EXCEPT portion lying south of a line 100 feet north of and parallel with the north line of Yesler Way.

Section 7. Any permit granted under Section 1 hereof may with the consent of the city council be revoked by the Board of Public Works at any time after first giving the corporation a written notice mailed to its address which shall be filed with the City Comptroller, a notice of its intention to revoke such permit within sixty (60) days after the date of such notice.

Section 8. Any permit herein authorized may be granted notwithstanding any provisions in Ordinance No. 80998 (the Traffic Code), as amended, or any provisions in Ordinance No. 59867 (the Fire and Explosion Hazard Ordinance) as amended, which are inconsistent herewith.

(To be used for all Ordinances except Emergency.)

Section 9. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 14 day of July, 1952,

and signed by me in open session in authentication of its passage this 14 day of July, 1952

David Sirk

President of the City Council.

Approved by me this 16 day of July, 1952

Allan Pomeroy

Mayor.

Filed by me this 16 day of July, 1952

R. J. Thomas

Attest: City Comptroller and City Clerk.

(SEAL)

By W. A. Perine

Deputy Clerk.

Published JUL 21 1952

2M 6-51 L. & H. CO.

ASSISTANT CORPORATION COUNSEL
J. AMBLER NEWTON
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G. GRANT WILCOX

THE CITY OF SEATTLE

LAW DEPARTMENT

515 COUNTY-CITY BUILDING

A.C. VAN SOELEN, CORPORATION COUNSEL

CITY PROSECUTOR
BRUCE MacDOUGALL
LAW CLERK
ROBERT STRONG
SECRETARY
FAYE FORDE
CLAIM AGENT
JOHN F. COOPER

July 7, 1952

Re: Comptroller's File No. 216870
(Permits for Seattle Steam Corporation)

Mr. Clarence F. Massart, Chairman
Public Safety Committee
City Council
Seattle

Dear Sir:

Pursuant to your request we herewith transmit proposed ordinance granting the Seattle Steam Corporation certain special permits to build concrete storage tanks and to transport thereto by pipeline from barges, by tank trailers and tank semi-trailers to said storage tanks on its properties located on Post Street and Western Avenue a specified type of fuel oil for use in its steam plant.

Due to the novelties of the situation the permits are subject to revocation by the Board of Public Works with the consent of the City Council after sixty days written notice.

This proposed ordinance has been drawn after several conferences with representatives of the Building, Engineering and Fire Departments and has their approval.

Comptroller's File No. 216870 which accompanied your request is herewith returned.

Yours very truly,

A. C. VAN SOELEN
Corporation Counsel

By John A. Homer
JOHN A. HOMER
Assistant

JAH:EC
encl.

c.c. Seattle Steam Corporation
327 White-Henry-Stuart Bldg.
Superintendent of Buildings
City Engineer
Chief of Fire Department

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported and Adopted
JUL 14 1952

Your Committee on Public Safety

to which was referred C.B. No. 72556,

authorizing the granting of certain permits to the Seattle Steam Corp. to transport and store certain fuel oil and specifying the conditions thereof,

RECOMMENDS THAT THE SAME DO PASS.

..... Chairman

..... Chairman

C-1093

CITY NOTICES

ORDINANCE NO. 81177

AN ORDINANCE authorizing the granting of certain permits to the Seattle Steam Corporation to transport and store certain fuel oil and specifying the conditions thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to petition filed with the City Council under Comptroller's File No. 316870 the Board of Public Works is hereby authorized to issue special permits to the Seattle Steam Corporation as follows:

(a) For the use of tank trailers or tank semi-trailers to convey to storage tanks located on the properties hereinafter described 16.2 gravity (API) fuel oil having an ignition point of 305 degrees Fahrenheit (Cleveland open cup). The application for such permit shall be made on the same form as prescribed by Section 149 of Ordinance No. 80998 (the Traffic Code), but no bond shall be required except as provided by Sec. 5 hereof.

(b) To bring barges loaded with such type of fuel oil to piers No. 57 or 53 and to convey such oil from such barges by means of a pipe line across and under Alaskan Way to the properties hereinafter described; said pipe line to be laid and constructed in the manner and at the location designated and as approved by said Board.

(c) To convey such type of fuel oil to the properties hereinafter described by railroad tank cars. Any such permit shall be issued under authority of and subject to all the provisions of this ordinance.

Section 2. The Superintendent of Buildings is authorized to issue a permit to the Seattle Steam Corporation for the construction and maintenance of two concrete storage tanks, one of 3,000 barrels capacity and one of 2,000 barrels capacity on the property hereinafter described as "A", and one steel tank of 350 barrels capacity on the property hereinafter described as "B", for the purpose of storing therein fuel oil of the type [illegible]

cuted by itself as principal and a surety company authorized to do business in the State of Washington as surety conditioned to strictly comply with all the terms and conditions imposed by this ordinance, and any and all permits issued hereunder.

Section 6. The properties hereinabove referred to are described as follows:

(A) 1319 Western Avenue is the address of that real property, situated in King County, Washington, described as:

Beginning at the most northerly corner of lot 4, block 177, Supplemental Sheet No. 27, Seattle Tide Lands; thence southerly along easterly line of said block 177, a distance of 120 feet to the southeasterly corner of lot 4, said block 177; thence westerly at right angles along the southerly line of said lot 4, a distance of 134 feet to a point; thence northerly at right angles, 120 feet to a point in the northerly line of said lot 3, distant 134 feet westerly from the point of beginning; thence easterly 134 feet to the point of beginning, being the easterly 134 feet of lots 3 and 4 of said block 177.

(B) 619 Post Street is the address of that real property, situated in King County, Washington, described as:

That portion of the H/L Yesler Donation Claim No. 47, township 24 north, range 4 east, W. M., and block 195, Supplemental Sheet 28, Seattle Tide Lands, described as follows:

Beginning at a point on the west line of Post Street, said point being distant north 89° 53' 30" west 193 feet and north 0° 07' 41" east 142 feet from the stone monument at the intersection of Yesler Way and First Avenue South and also north 0° 07' 41" east 100 feet from the north line of Yesler Way; thence along the west line of Post Street north 0° 07' 41" east 64.762 feet; thence north 31° 45' 10" west 58.312 feet to a point north 31° 45' 10" west 15 feet from the most easterly corner of lot 2, in said block 195; thence south 58° 14' 50" west on a line parallel with and 15 feet from the southerly line of said lot 2, a distance of 96 feet to the northeasterly line of Western Avenue; thence south 31° 45' 10" east along said avenue line 134.897 feet to a point north 0° 07' 41" east 0.121 feet from the southwest corner of lot 4 in said block 195; thence south 0° 07' 41" west 37.566 feet to a point north 0° 07' 41" east 100 feet from the north line of Yesler Way; thence along a line parallel with and 100 feet distant from the north line of Yesler Way, south 89° 53' 30" east 86 feet to the point of beginning, the foregoing described tract being the southeasterly 15 feet in width of lot 2, all of lots 3 and 4 and lot 5, EXCEPT south 100 feet measured on west line thereof, in said block 195, and all that portion of said Yesler Donation Claim lying west of Post Street, EXCEPT portion lying south of a line 100 feet north of and parallel with the north line of Yesler Way.

Section 7. Any permit granted under Section 1 hereof may with the consent of the city council be revoked by the Board of Public Works at any time after first giving the corporation a written notice mailed to its address [illegible] shall be filed with the City C[illegible]troller, a notice of its intentio[illegible] to revoke such permit within sixty (60) days after the date of such notice.

Section 8. Any permit herein authorized may be granted notwithstanding any provisions in Ordinance No. 80998 (the Traffic Code), as amended, or any provisions in Ordinance No. 59867 (the Fire and Explosion Hazard Ordinance) as amended, which are inconsistent herew[illegible]h.

Section 9. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law und[illegible] the provisions of the city charter.

Passed by the City Council the 14th day of July, 1952, and signed by me in open session in authentication of its passage this 14th day of July, 1952.

DAVID LEVINE,
President of the City Council.

Approved by me this 16th day of July, 1952.

ALLAN POMEROY,
Mayor.

Filed by me this 16th day of July, 1952.

Attest: W. C. THOMAS,
City Comptroller and City Clerk.
(Seal) By W. A. PERINE,
Deputy Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, July 21, 1952. (C-1093)

Publication

} ss.

[illegible]ly sworn, on oath deposes and [illegible]nager and one of the publishers [illegible]merce, a daily newspaper. That [illegible]wspaper and it is now and has [illegible] prior to the date of the publica[illegible]ublished in the English language [illegible]paper in Seattle, King County, [illegible]nd during all of said time was [illegible]d at the aforesaid place of pub[illegible] That the said Daily Journal of [illegible]y of June, 1941, approved as a legal newspaper by the Superior Court of said King County.

That the annexed is a true copy of

Ordinance No. 81177

, as it was published in the regular issue (and not in supplement form) of said newspaper on the 21st day of July 1952, and that said newspaper was regularly distributed to its subscribers during all of said period.

C-1093

CITY NOTICES

ORDINANCE NO. 81177

AN ORDINANCE authorizing the granting of certain permits to the Seattle Steam Corporation to transport and store certain fuel oil and specifying the conditions thereof.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to petition filed with the City Council under Comptroller's File No. 215876 the Board of Public Works is hereby authorized to issue special permits to the Seattle Steam Corporation as follows:

(a) For the use of tank trailers or tank semi-trailers to convey to storage tanks located on the properties hereinafter described 16.3 gravity (API) fuel oil having an ignition point of 305 degrees Fahrenheit (Cleveland open cup). The application for such permit shall be made on the same form as prescribed by Section 149 of Ordinance No. 80998 (the Traffic Code), but no bond shall be required except as provided by Sec. 5 hereof.

(b) To bring barges loaded with such type of fuel oil to piers No. 87 or 88 and to convey such oil from such barges by means of a pipe line across and under Alaskan Way to the properties hereinafter described; said pipe line to be laid and constructed in the manner and at the location designated and as approved by said Board.

(c) To convey such type of fuel oil to the properties hereinafter described by railroad tank cars. Any such permit shall be issued under authority of and subject to all the provisions of this ordinance.

Section 2. The Superintendent of Buildings is authorized to issue a permit to the Seattle Steam Corporation for the construction and maintenance of two concrete storage tanks, one of 3,000 barrels capacity and one of 2,000 barrels capacity on the property hereinafter described as "A", and one steel tank of 330 barrels capacity on the property hereinafter described as "B", for the purpose of storing therein fuel oil of the type hereinbefore described; said permit to be issued only if said corporation first files with the Superintendent of Buildings detailed plans and specifications showing the exact location and method and type of construction of said storage tanks, and particularly showing the plan designed to protect walls and foundations that may be affected by such installation; and only if he approves said plans and specifications, a copy of which shall also be submitted to the Chief of the Fire Department and shall be approved by him before the permit is issued.

Section 3. Said corporation shall not make any alterations or repairs in said pipe line or in its storage tanks which may be authorized by any permit issued hereunder without the consent of the Board of Public Works; and any repair or reconstruction which does any damage to any public street or property or which disturbs the surface of any public street shall be restored to its original condition at the sole cost and expense of said corporation.

Section 4. Said corporation shall at all times protect and save harmless the City of Seattle from all claims, actions, suits, liability, loss, costs, expenses or damages of any kind which may accrue or be suffered by any person or persons or property by reason of any acts, work, construction, reconstruction, repair or maintenance performed under permits issued hereunder; and said corporation shall upon notice of the commencement of any suit or action on account thereof defend the same at its sole cost and expense and in case judgment shall be rendered against said city in such suit or action, said corporation shall fully satisfy such judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the city.

Section 5. Whenever any permit is granted under authority of Section 1 or 2 of this ordinance, said corporation shall within ten (10) days thereafter file a written acceptance of the permit agreeing to its terms and conditions; and within ten days after the granting of the first permit granted under the authority of this ordinance shall file with the City Comptroller a bond in the sum of $5,000.00, exe-

way

Section 7. Any permit granted under Section 1 hereof may with the consent of the city council be revoked by the Board of Public Works at any time after first giving the corporation a written notice mailed to its address which shall be filed with the City Comptroller, a notice of its intention to revoke such permit within sixty (60) days after the date of such notice.

Section 8. Any permit herein authorized may be granted notwithstanding any provisions in Ordinance No. 80998 (the Traffic Code), as amended, or any provisions in Ordinance No. 59487 (the Fire and Explosion Hazard Ordinance) as amended, which are inconsistent herewith.

Section 9. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 14th day of July, 1952, and signed by me in open session in authentication of its passage this 14th day of July, 1952.

DAVID LEVINE,
President of the City Council.

Approved by me this 16th day of July, 1952.

ALLAN POMEROY,
Mayor.

Filed by me this 16th day of July, 1952.

Attest: W. C. THOMAS,
City Comptroller and City Clerk.
(Seal) By W. A. PERINE,
Deputy Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, July 21, 1952. (C-1093)

Publication

ss.

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That the annexed is a true copy of Ordinance No. 81177, as it was published in the regular issue (and not in supplement form) of said newspaper on the 21st day of July 1952, and that said newspaper was regularly distributed to its subscribers during all of said period.

M. Brown

Subscribed and sworn to before me this 21st day of July 1952

L. L. Fisk

Notary Public in and for the State of Washington, residing at Seattle.
(This form officially sanctioned by Washington State Press Association.)
Affidavit Form D.