

Ordinance no. 158

An Ordinance granting unto L. D. Brown, John M. Fairchild and F. W. Sparling the right to erect and maintain a system of Electric Lights and Telephones in the City of Albany Oregon.

The People of the City of Albany do ordain as follows:

Section 1. That there be and there is hereby given and granted unto L. D. Brown, John M. Fairchild, and F. W. Sparling, and unto their heirs, executors, administrators and assigns the right or franchise to erect and maintain in the streets and alleys of the City of Albany Linu County Oregon, all such electric light and telephone posts, poles, towers, wires, lines of wires and other fixtures as may be necessary or convenient, to maintain for the purpose of carrying on a system of electric lights or telephones in said City: Provided however that all posts or poles that may be created pursuant to this ordinance shall be neatly dressed and painted: provided further, that work on such system of electric lights or telephones shall be commenced and reasonable progress made thereon within ninety days from the approval of this ordinance by the Mayor of said City: The grant of this franchise is made upon this express condition, that the said L. D. Brown, John M. Fairchild and F. W. Sparling and their successors, and assigns shall at all times during the con-

continuance of this grant and after the erection of such system of Electric Lights furnish to the City of Albany free and without any charge whatever and as a consideration for this grant all the necessary light for each and every Engine house now in the City of Albany and to each and every engine house that may hereafter be erected or used in said City for fire engines or Hook and ladder or hose Companies; and in case said grantee or their successors or assigns shall at any time fail or refuse to furnish such electric lights, then this grant shall be void and of no effect and the franchise herein and hereby granted shall immediately revert to and revert in the City of Albany.

Section 2. The said grantee of said right or franchise hereby granted, their successors and assigns, shall erect such posts, poles, and towers and stretch such wires and lines of wires thereon in such manner as not to interfere with the free and unobstructed use of the streets and alleys for travel, and at such height as may be designated by the Mayor and Common Council of said City; and the wires and lines of wires shall be stretched at such height as may be designated by said Mayor and Common Council, but in no event shall any line be less than twenty feet above the level of the streets.

Section 3. Whenever it shall become necessary in the erection of any such posts, poles or towers to interfere in any manner

with any street or alley, said grantees their successors and assigns shall without delay, put such street or alley in as good condition as it was before it was so broken, dug up or disturbed, and shall remove all surplus sand, earth, rubbish or other material from such street or alley.

Section 4. The said City of Albany hereby reserves the right to alter change or modify this ordinance or any of its provisions, to regulate the rates of charges for the use of such electric light or telephone system, and to require said grantees, their successors or assigns, at any time when it may be deemed necessary, to bury all wires or lines of wires used for the purpose of any electric light or telephone.

Section 5. Immediately upon the giving of any fire alarm the electricity in the immediate vicinity of the fire, shall be shut off and so kept until the fire is over and all danger past.

Section 6. Within thirty days after the approval of this ordinance by the Mayor the said L. D. Brown, John M. Fairchild and P. W. Sparling or their authorized agent, shall file with the City Recorder their written acceptance of this ordinance together with all of its conditions and provisions and in the event of their failure so to do this ordinance shall be void and of no effect.

Section 7. This ordinance shall be in full

force and effect from and after its approval by the mayor, and its written acceptance as provided in section 6 of this ordinance by the said L. S. Brown, John M. Fairchild and F. W. Sparling on the part.

Passed the Council, August 16th 1887.

Approved August 23rd 1887
J. K. Weatherford
Mayor

Attest:

W. J. Henton,
Recorder of the City of Albany.

State of Oregon, } ss.
County of Linn }

I, W. J. Henton, Recorder of the City of Albany Linn County Oregon, do hereby certify that the foregoing ordinance no 158 is a true and correct copy of the original ordinance bill no 158, as passed by the Council of said city of Albany, August 16th 1887.

Witness my hand and the seal of the city of Albany this 17th day of August 1887.

W. J. Henton,
Recorder of the city of Albany.