

ORDINANCE NO. 1179

Cutting & Raising Tel. & Elec. Wires.

An Ordinance to regulate the cutting and raising of Telephone, Telegraph, Electric and other like wires for the purpose of moving buildings, structures and edifices in the City of Albany.

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

Section 1. That whenever any person, firm, Company or Corporation shall have obtained the permission to remove any building, structure, or edifice through any street or streets in the City of Albany, when any telegraph, telephone or electric light wire or trolley or any other like wires shall in any manner interfere with such moving of any said building, structure, or edifice, said person, firm, Company or Corporation moving such building, shall designate route to be traveled and give to the Company owning any such wire or wires 8 hours notice in writing to raise or remove said lines or wires so as to allow free and undisturbed passage of such building, structure or edifice, and to designate the hour or time and place the person, firm or Corporation will require the raising or removing the line or wires complained of. #

Section 2. Said person, firm, Company or Corporation owning or controlling said wire or wires shall be liable to said person, firm, Company or Corporation moving said building, structure or edifice for the actual value of the time lost, as the wages paid in waiting for the said person, firm, Company or Corporation to raise or remove said wire or wires mentioned in this act, which shall be due and payable on demand, but no time shall be charged to such person, firm, Corporation or Company moving or controlling said wire or wires when a reasonable diligence is shown in raising or moving said wire or wire.

Section 4. Any person, firm, Company or Corporation violating any of the terms of this Ordinance shall upon conviction thereof before the City Recorder be required to pay a fine of not less than \$50.00 nor more than \$500.00 and in default of the payment of any such fine, such person or persons shall be imprisoned in the City Jail.

Section 2. It is the duty of the person, firm, company or corporation moving such building, structure or edifice to be liable to said person, firm, company or corporation for the actual value of the time required to raise or remove said wire or wires, as the wages paid to the person, firm, company or corporation moving or raising or removing said wire or wire.

ORDINANCE NO. 479

Cutting and raising Tel. & Tel. & Ele. wires.

One day for each two dollars of said fine.

Section 5. It is enacted as the promiscuous cutting, raising and removing of Telephone, Telegraph and Electric light wires for the purpose of moving buildings through the streets of Albany without proper notice to the Company owning such lines or wires, is deemed dangerous to the safety of the City and to its inhabitants, and a nuisance is declared to exist. And this Ordinance shall take effect and be in full force as the law of the City of Albany from and after its passage and approval by the Mayor.

Passed this 19th day of June, 1909.

Approved June 22nd 1909.

J. P. Wallace
Mayor.

Attest:
I. P. M. Redfield,
Recorder of the City of Albany



CITY RECORDER'S CERTIFICATE.

STATE OF OREGON, }
COUNTY OF LINN, } ss.

I, I. P. M. REDFIELD, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of

Ordinance # 479
has been by me carefully compared with the original Ordinance bill No 520
now on file in my office, and that it is a true and correct copy of all and the whole of said
Ordinance bill No 520 as passed by the City Council of
City of Albany, Oregon, June 19th 1909

WITNESS, my hand and official signature and the seal of the City of Albany, this
22nd day of June 1909

I. P. M. Redfield
Recorder of the City of Albany.

ORDINANCE NO.

Release of Franchises.

Ordinance # 185 " 433 & 443

Release of Franchise Ord 185-433 443

Portland Eugene and Eastern Railway Company }
to }
The City of Albany, Or.

Filed for record June 22 1909
Recorded June 23 1909
By J. M. Redfield.
Recorder of the City of Albany.

Whereas, by an ordinance duly enacted by the City Council of the City of Albany, on May 24th 1909 and approved by the Mayor of said City on May 25th 1909, which Ordinance is known and designated as Ordinance No. 478, there was granted to the Portland, Eugene and Eastern Railway Company, its successors and assigns, among other things the right, privilege and franchise to construct and maintain certain lines of railway and to construct and maintain poles and wires for the transmission of electrical current;

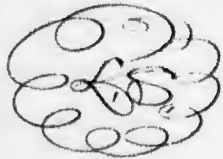
Whereas, by Section XII, of said Ordinance the said Portland, Eugene and Eastern Railway Company was required to surrender to said City of Albany certain privileges and franchises therein described; and

Whereas, all the privileges and franchises so specified by said Section XII, of said Ordinance have duly passed by assignment to the said Portland, Eugene and Eastern Railway Company;

Now Therefore, in consideration of the granting of the rights and privileges conferred by said Ordinance No. 478, the Portland, Eugene and Eastern Railway Company does hereby surrender and release to the City of Albany, all rights, privileges and franchises granted to the Albany Steel Railway Company and its assigns, by Ordinance No. 185, of said City of Albany, passed by the Council of said City on February 26th 1889, and approved by the Mayor February 28th 1889, and heretofore owned and held by H. Hirschberg, together with all those certain privileges and franchises granted to A. Welch, his heirs, assigns and successors, by Ordinance No. 433 of said City of Albany, passed by the Council of said City September 18, 1907, and approved by the Mayor of said City September 19, 1907, and by Ordinance No. 443 of said City of Albany, passed by the Council May 18, 1908, and approved by the Mayor of said City May 16, 1908.

ORDINANCE NO.

In Witness Whereof said Portland, Eugene and Eastern Railway Company has caused its Corporate Seal to be hereunto affixed and these presents to be executed in its name and its behalf by A. Welch, its Vice President, this 19th day of June, 1909.



Portland, Eugene & Eastern Railway Company
By A. Welch
Vice President

Copy of
Assignment of Franchise

A. Welch
to
Portland Eugene & Eastern Railway Co.

Filed in the Office of the
City Recorder of the City of
Albany, Oregon, June 22, 1909.

This agreement, made this 18th day of June, 1909, by and between A. Welch, of Portland, Oregon, party of the first part, and the Portland, Eugene and Eastern Railway Company, a corporation, party of the second part, Witnesseth:

That in consideration of one dollar (\$1.00) and other valuable considerations in hand paid by the party of the second part to the party of the first part, the party of the first part does hereby sell, assign and transfer to the party of the second part, its successors and assigns, all rights, privileges and franchises granted to the said party of the first part, or held by him under or by virtue of that certain Ordinance passed by the City Council of Albany on September, 18th, 1907, and approved by the Mayor of said City on September 19th, 1907, being Ordinance of said City No. 437, and by that certain Ordinance passed by the City of Albany on May 15th, 1908, and approved by the Mayor of said City on May 16th, 1908, being Ordinance of said City No. 443.

In Witness Whereof, said party of the first part has hereunto set his name and seal the day and year first above written.
A. Welch (Seal)