

make
copy

Ordinance No. 168.

An ordinance granting unto W. H. Allen, his successors or assigns 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 W. H. Allen and to his heirs, executors, administrators successors and assigns the right and franchise to erect and maintain in the streets and alleys of the City of Albany Linn County Oregon, all such electric light and telephone posts, poles, towers, wires, lines of wires and other fixtures as may be necessary or convenient or usually maintained for the purpose of carrying on a system of electric lights and telephones in said City and to construct, erect and put up in said City all such buildings and machinery as may be necessary or convenient for such purpose. Provided however that all posts or poles that may be erected pursuant to this ordinance, shall be neatly dressed, and painted, and shall be at least (8) eight inches in diameter at the bottom, and (4) four inches in diameter at the top, and shall be not less than (30) thirty feet long, four (4) feet to be in the ground. Provided further, that work on such system of electric lights and telephones shall be commenced and reasonable progress made thereon within sixty days from the approval of this ordinance by the Mayor of said City. The grant of this franchise

W. H. Bellman advised that Ord. # 168 is considered by the Pacific Power & Light Company as being the original document which they use.

is made upon this express condition that the said W. H. Allen his successors ~~and~~ assigns shall at all times during the 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 for the same, and as a consideration for this grant, all the necessary light for each and every engine house now in use in the City of Albany, and to each and every engine house that may hereafter be erected or used in said City for or by any fire engine hook and ladder company or hose company, and in case said grantee, his successors, or assigns shall at any time fail or refuse to furnish such electric lights, this grant shall be void and of no effect, and the franchise herein and hereby granted shall immediately revert and vest in the City of Albany.

Section 11. The said grantee of said right or franchise hereby granted, his successors and assigns, shall erect such posts, poles, and towers, and stretch wires and lines of wires thereon in such manner as not to interfere with the full 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 case shall any main or feeder be less than twenty six (26) feet above the level of the streets. Provided

in case it shall become necessary to cut any wire in order to get fire ladders or apparatus to a building during a city conflagration the city shall not be liable to pay for the repairs to such wires.

Section III. 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 grantee his successors and assigns shall, without delay, put such street or alley in as good condition as it was before it was broken, dug up or disturbed, and shall remove all surplus sand, earth, rubbish or other material from such street or alley.

Section IV. The said city of Albany hereby reserves the right to alter, change or modify this ordinance, or any of its provisions and to regulate the rates of charges for the use of such electric light or telephone systems.

Section V. The said city of Albany hereby reserves the right to alter, change, or modify this ordinance or any of its provisions and to regulate the rates of charges for the use of such electric light or telephone systems.

Section V. Immediately upon the giving of any fire alarm the electric current in the immediate vicinity of the fire shall be shut off and so kept until the fire is over and all danger past; provided however that shutting off the electric current in the immediate vicinity of the fire does not effect the lights in other parts of the city.

Section VI.

Within thirty days after the approval of this ordinance by the mayor the said W. H. Allen or his authorized agent shall file with the Recorder of the City of Albany his written acceptance of this ordinance together with all of its conditions and provisions, and in the event of his failure so to do this ordinance shall be void and of no effect.

Section VII. 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.

Passed the Council Oct 25th 1887.

Approved November 3rd 1887.

Attest:

W. J. Henton,

Recorder of the City of Albany.

J. R. Neustetter &
Mayor.

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 168, is a true and correct copy of the original ordinance bill no 170 now on file in the City Recorder's Office, and as passed by the Council October 25th 1887.

Witness my hand as the seal of the City of Albany this 1st day of November 1887.

W. J. Henton,

Recorder of the City of Albany.