

ORDINANCE NO. 21

AN ORDINANCE GRANTING TO THE SKAGIT FARMERS MUTUAL TELEPHONE COMPANY, A CORPORATION, AND ITS ASSIGNS, THE RIGHT AND PRIVILEGE OF CONSTRUCTING, EQUIPPING AND MAINTAINING AND OPERATING A TELEPHONE AND TELEGRAPH AND FIRE ALARM SYSTEM WITHIN THE TOWN OF GRANITE FALLS, WASHINGTON, SUBJECT TO THE LIMITATIONS PRESCRIBED IN SAID ORDINANCE.

BE IT ORDAINED by the Council of the Town of Granite Falls, Washington.

Section 1: That for the period of fifty years from the date of the passage of this ordinance the Skagit Farmers Mutual Telephone Company, a corporation, and its assigns, under the restrictions hereinafter specified, be and it is hereby given and granted the right to construct, operate and maintain a telephone, telegraph and fire alarm system within the corporate limits of the town of Granite Falls, Washington, and for the purpose thereof said grantee shall have the right to construct conduits and erect poles along and across the streets, alleys, avenues and public places of said town and string wires thereon and carry currents of electricity on said wires for said purposes.

Section 2: That such system shall be constructed and in operation within one year from the date of the passage of this ordinance, and said grantee shall at all times after the commencement of the operation of said system maintain a central office in the said town of Granite Falls.

Section 3: The town of Granite Falls, reserves the right at any time that public necessity may demand to require the said grantees to remove all or any portion of the poles in said town (except such as are necessary for the distribution of its wires) and place their wires underground, provided the same demand be made and enforced on all other persons or corporations having over-head wires in the town.

Section 4: That the said grantee during the life of this franchise shall furnish free of charge to the

town of Granite Falls as many telephones as may be necessary for the transaction of said town's business, said phones to be placed at such places as the council may direct, and shall be kept and equipped with the same character or instruments as are furnished to the subscribers by said grantee.

Section 5: That the said town of Granite Falls shall at all times have the right and privilege, to make use of any and all poles and conduits, of said grantee or their assigns, for police, signals, and fire service, and to place all boxes on the poles without making compensation for the use thereof, providing such wires shall be placed in such manner as will not interfere with the operation of the business of said grantee.

Section 6: That the said grantee shall repair any and all public streets, alleys or avenues, disturbed by it in constructing, repairing, or operating said system, in as good state and condition as before, and upon failure so to do, the town of Granite Falls, shall have the right to repair the same, and charge the expense thereof against said system, and such charge and expense shall be a first and prior lien upon said telephone or telegraph system until paid.

Section 7: The said grantee by the acceptance of this franchise assumes and agrees to pay any and all damages, which the town of Granite Falls may sustain by reason of injury to the person or property of any person, firm or corporation, arising out of the negligence or carelessness of the said grantee or its assigns, and the said town of Granite Falls, Washington, shall have the right of subrogation against the said grantee and its assigns for such sums of money so paid out.

Section 8: This ordinance shall have no force or effect, unless said grantee shall within thirty days from the passage thereof file with the clerk of said town its written acceptance of the same.

Section 9: This ordinance shall take effect and be enforced from and after its passage and publication as required by law.

Introduced May 10, 1904, passed by the council in open session September 20, 1904.

B. E. CHAPPELL, Mayor

ATTEST:  
CHAS. T. SMITH  
Town Clerk