

ORDINANCE NO. 37

AN ORDINANCE GRANTING THE ROBE-MENZEL LUMBER COMPANY, A CORPORATION, ORGANIZED AND DOING BUSINESS UNDER THE LAWS OF THE STATE OF WASHINGTON, ITS SUCCESSORS AND ASSIGNS THE RIGHT TO PLACE, ERECT AND MAINTAIN POLES, WIRES AND OTHER APPLIANCES AND CONDUCTORS FOR THE TRANSMISSION OF ELECTRICITY FOR TELEPHONE PURPOSES, IN, UNDER, OVER AND UPON THE STREETS AND ALLEYS OF THE TOWN OF GRANITE FALLS, WASHINGTON, AND TO EXERCISE THE PRIVILEGE OF OPERATING TELEPHONE INSTRUMENTS FOR LOCAL AND LONG DISTANCE PURPOSES WITHIN SAID TOWN.

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

Section 1: There is hereby granted to Robe-Menzel Lumber Company, Incorporated, its successors and assigns, the right and privilege to do a local telephone business within the town of Granite Falls, and to place, erect, maintain and operate within said town, poles, wires and other appliances and conductors for the transmission of electricity for local business, and to connect with the private lines of the said Robe-Menzel Lumber Company only.

Section 2: All poles shall be erected and wires stretched thereon so as not to interfere with the free and unobstructed use of the streets and alleys of said town, and at such points as shall be designated by the street committee of the Council of said town, and the wires shall be stretched at such height as may be designated by said street Committee and shall not interfere with any shade trees.

Section 3: It shall be lawful for the said Robe-Menzel Lumber Company, its successors and assigns to make all needful excavations in any street used by it under this ordinance, but such excavations shall be dug in such a manner that they will not interfere with the free and uninterrupted use of said streets by the public, and the said Robe-Menzel Lumber Company, its successors and assigns shall without delay repair and replace said streets in as good condition as they were before being disturbed by said excavations, and all work shall be done in compliance

with the established rules, regulations and ordinances which are in force or may be hereafter be adopted by the town of Granite Falls.

Section 4: Nothing in this ordinance shall be construed to prevent the Town of Granite Falls from sewerage, grading, planking, repairing or altering any of the streets used by the said Robe-Menzel Lumber Company, its successors or assigns.

Section 5: Whenever any person shall be granted permission by the Town of Granite Falls to remove any building the Robe Menzel Lumber Compnay, its successors and assigns shall, upon twenty four hours notice from such person, raise or remove any wires or poles which may obstruct the removal of such building; such notice shall be in writing and served by any person competent to serve a summons in a civil action upon said corporation, and be served upon any officer of said corporation or its resident business manager. In case of refusal or failure, after such notice, to comply therewith, the Town Marshal shall have the power to remove said poles or wires at the expense of said corporation.

Section 6: The Town of Granite Falls reserves to its council the power to alter, change, amend, modify or without notice, at any time; but any such alteration, change, modification or repeal shall not take effect until ninety (90) days from and after its passage and publication as required by law.

Section 7: The rights, privileges and franchises herein granted shall be in force from and after the passage and publication of this ordinance and continue in force until ninety days after this ordinance has been amended, or repealed, as provided in section 6 hereof; and it is an express provision and condition hereof that the Robe-Menzel Lumber Company shall pay the town of Granite Falls five (5) per centum of its gross receipts from tolls received for messages sent over its lines and phone rentals, payable monthly within fifteen days after the close of each calendar month and shall indemnify the town of Granite Falls for all losses or damages resulting from the negligence of the said corporation or any of its employees during the life of this franchise; and upon the further condition that within ten days after the passage and approval of this ordinance by the mayor, and before its publication, the said Robe-Menzel Lumber Company shall file with the Town Clerk its written acceptance of all the terms and conditions of this ordinance and, pay to said Town Clerk the cost of publication.

Introduced at the regular meeting of the Town Council December 6 A.D. 1906 and read the first and second times and laid on the table until the next meeting of the Council.

Taken up as unfinished business at the meeting of the Council the 1st day of Jan. A.D. 1907, read a third time and placed on its final passage.

Passed the 1st day of January A.D. 1907 and approved the 1st day of January, A.D. 1907.

D. I. CARPENTER, Mayor

ATTEST:
CHAS. T. SMITH,
Town Clerk