

ORDINANCE No. 374.

AN ORDINANCE GRANTING A FRANCHISE TO THE CANBY TELEPHONE ASSOCIATION FOR A PERIOD OF TWENTY FIVE YEARS FROM THE DATE HEREOF, TO ERECT POLES, STRING WIRES AND CABLES, MAINTAIN THE POLES, WIRES, AND CABLES NOW IN OPERATION OR THAT MAY HEREAFTER BE PUT IN OPERATION, OVER, IN, UPON, AND ALONG THE STREETS AND ALLEYS OF THE CITY OF CANBY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

SECTION I- That from and after the passage and adoption of this ordinance and its approval by the Mayor, the Canby Telephone Association is hereby granted for a period of Twenty Five years, from the date hereof, the right, privilege, and franchise of constructing, erecting, maintaining, using, and operating and changing and removing poles, wires, lines, cables, appliances and apparatus used in, and necessary in the operation of a telephone system for furnishing telephone service to the members of said association, in accordance with the by-laws of said association, upon, over, and along the streets and alleys of Canby, Oregon

SECTION II- That said franchise is granted with the express provision that the poles, lines, wires, and cables, constructed by said Canby Telephone Association under this franchise shall be so placed as to interfere as little as possible with public travel or use of said streets and alleys of Canby; and that all rights, powers, and privileges hereby granted shall terminate at the expiration of Twenty Five years from the date of this ordinance, unless further extended, and that during the continuance of said franchise, the said Canby Telephone Association shall install and maintain telephone service as required to the City of Canby, Oregon, free of charge to said City of Canby, as follows; to the City Hall, City Fire Department, and City Police.

SECTION III- It is understood and agreed by and between the parties hereto that the location of all poles, and the erection of, and maintenance of the lines, wires, and cables, used by said Canby Telephone Association shall be subject to the approval of the Council Committee on streets and public property.

SECTION IV- It is further understood and agreed that there shall be no contact charge by the City of Canby to said Canby Telephone Association, for the contact of said lines, wires and cables on any City of Canby light poles.

SECTION V- It is further understood and agreed between the parties hereto that this franchise may be subject to amendment to meet different conditions in case of an emergency, or when circumstances and condition may be such as to warrant an amendment thereof for the benefit of the parties hereto, upon a request being made in writing of the party desiring such amendment of not less than 90 days in advance. Said request shall state the reason and purpose of the required amendment, and the benefits expected to be derived therefrom.

SECTION VI- That this franchise is granted with the provision that within 10 days from and after the passage of said ordinance and its approval by the Mayor the said Canby Telephone Association shall file with the Recorder of said City its written acceptance thereof.

Read for the first time at a regular stated meeting of the City Council held July 13, 1953, and ordered posted for the reason that, in the opinion of the Council, the cost of publication thereof is excessive, and to come up for final action at the regular stated meeting of the City Council to be held August 3, 1953.

On Motion made, seconded, and carried, the above ordinance was placed for final passage. Roll call: Yeas 4, No. 0

Passed by the Common Council, August 3, 1953.  
APPROVED by the Mayor, August 4, 1953.

R B Eversole Mayor.

ATTEST:

H B Evans  
City Recorder.