

Ordinance bill no. ~~22226xx~~ 120

ORDINANCE NO. 123

An Ordinance to Regulate the Cutting and raising of Telephone, telegraph, Electric light and trolley wires and other wires in the City of Lebanon for the purpose of moving buildings and structures and edifices in the streets or other places in the City of Lebanon, Oregon.

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN as follows:-

Section 1

When ever any person, persons, firm, company or corporation shall have obtained the permission as by ordinance required to move or remove any building, structure or edifice through any streets or alleys in the City of Lebanon, when or where any telephone, telegraph, Electric light wire or wires, or any cables or cable for same, or any street car or trolley wires or any other like wires shall in any manner interfere or be in the way of such moving or removing of such building, structure, or edifice, said person or persons, firm, company or corporation moving such building, structure or edifice shall designate the route and streets to be used and traveled and give to the company, corporation of person owing such lines or wire or wires reasonable and timely notice in writing to raise or remove such wires or lines so as to give and allow free and undisturbed passage of such building, structure or edifice, and to designate the time and hour and place to person, firm or corporation will be required to raise or remove such wires or lines complained of.

Section 2

The company, firm, corporation or person owing such wires, lines or cables shall bear the expense of such raising or removing the same, provided the reasonable cost and expense of so doing ^{and damages} does not exceed the sum of Five Dollars. But if the expense and ^{damages} costs of such raising or removing of such wires, lines or cable shall exceed the sum of Five Dollars, so much thereof as shall exceed the sum of Five Dollars, shall be paid and born by the person moving the said

building, structure or edifice, or the owner thereof, which shall be paid on demand by the said owner of such lines, wires or cables.

Section 3.

The said person, firm, corporation or company owing or controlling such wires lines or cables shall be liable to the said person firm, company, or corporation, moving such 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 wires, cables, or lines mentioned in this ordinance which shall be due and payable on demand by said owners to the said person firm, company, or corporation doing such moving. But no time shall be charged or damages paid where reasonable diligence is shown in raising or moving such wires lines or cables.

Section 4

When in the judgment of the Committee on Streets and Public Property of the Common council of the City of Lebanon, shall deem that the public will be so inconvenienced hindered damaged or injured as to be of more consequence than the benefits derived by the moving of such building, structure or edifice, the same shall not be permitted to be moved in any street or alley of the said city. And if in the judgment of the said Committee the owner or owners of such wires, cables, or lines will suffer such damages and loss by reason of the disturbing of the same as to exceed the benefits to be derived by the moving of such building structure or edifice, then the same shall not be moved in any street or alley of the said City. Or if in the sound judgment of the said Committee or the council it is not for best interest of the city to have such building moved through the streets or alleys, the same shall not be moved, and the said Committee and council shall at all times have the exclusive right to designate the route and streets to be used in the moving of any building.

Section 5.

Any person, firm, company or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor

and upon conviction thereof before the recorder's Court shall be fined not less than \$100.00 nor more than \$50.00 or by imprisonment in the city jail not less than five days nor more than 25 days.

Section 6.

In as much as there has been promiscuous cutting of wires and the public has been inconvenienced thereby, and the public health, and safety requires that the same be regulated at once, the peace and safety of the said city requires that this ordinance be in full force and effect at once, an emergency is hereby declared, and that ordinance shall be in full effect from and after its passage by the council and approval by the mayor.

This ordinance passed by the council this 6th day of November, 1912 the same having received more than three fourths of all the votes of all members elected to the Council taken by yea and nay votes on roll call.

Approved by the Mayor this 15th day of November, 1912.

W. W. Wainwright
Mayor of the City of Lebanon.

Attest J. R. Green
Recorder of the City of Lebanon.