

Ord No  
712

An ordinance to amend Section Two of Ordinance No. 168 entitled "An ordinance granting unto [unclear], his successors or assigns, the right to erect and maintain a system of electric lights and telephones in the City of Albany, Oregon," passed by the Council of said city on the 25th day of October, 1897, approved by the Mayor, on the 23rd day of [unclear], 1897.

The People of the City of Albany, Oregon, do enact as follows:

Section 1. That Section Two of Ordinance No. 168 entitled "An ordinance granting unto [unclear], his successors and assigns, the right to erect and maintain a system of electric lights and telephones in the City of Albany, Oregon," passed by the Council of said city on the 25th day of October, 1897, approved by the Mayor, on the 23rd day of [unclear], 1897, be and the same is hereby amended to read as follows:

Section 2. The said grant of said right or franchise hereby granted, his successors and assigns, shall not include the right to lay, run or maintain any telegraph wires or telegraph lines, nor a right to interfere with the free and unobstructed use of the streets and alleys for travel and at such height as may be designated by the Mayor and Council of said city and the wires and lines or wires shall be stretched at such height as may be designated by said Mayor and Council but in no case shall any main or side be less than twenty-six feet above the ground. It is provided in case it shall be necessary to cut any wire in order to prevent fire or apparatus to a building being a city conflagration, the city shall not be liable for the removal of such wires and it is provided further that when the Mayor of said city obtains permission to use any of the streets of the City of Albany for the purpose of removing any building, the grantee, his successors or assigns upon twenty-four hours notice from such person, shall raise or remove or cut said wires or lines, and observe the person to such building goes to align the same and upon the removal of the same. Sixty days notice shall be in writing and such person competent to be a witness in a civil action, in and by the successor or assigns, or their representatives or agents and in case of their refusal or failure to comply with such notice, the Superintendent of Streets of said city shall have the right to remove said wires at the expense of said parties, his successors or assigns for the purpose aforesaid.

Section 3. Where existing conditions are such that

This ordinance is necessary for the immediate preservation of the public peace, health and safety, an emergency exists and an ordinance is hereby declared to exist and this ordinance shall take effect and remain in force from and after its approval by the council.

Attest:

City Council, March 11, 1914

F. E. Van Tassel

Recorder of the City of Albany

This ordinance was presented to the Mayor March 12th, 1914, and the same was returned to the City Clerk March 23rd, 1914.

Attest:

F. E. Van Tassel

Recorder of the City of Albany

CITY RECORDER'S CERTIFICATE

State of Oregon, } ss.  
County of Linn

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of Ordinance No. 712

has been by me carefully compared with the original Ordinance Bill No. 787 now on file in my office, and that it is a true and correct copy of all and the whole of said Ordinance Bill 787 as passed by the Council of the City of Albany, Oregon, March 11th, 1914

Witness, my hand and official signature and the seal of the City of Albany, this 2nd day of March, 1914.

F. E. Van Tassel

Recorder of the City of Albany