

ORDINANCE NO. 1022

AN ORDINANCE DEFINING THE TERM "PUBLIC UTILITY VEHICLE" AND PROVIDING THAT "PUBLIC UTILITY VEHICLES" SHALL NOT BE OPERATED IN THE CITY OF ALBANY, EXCEPT UNDER AND BY VIRTUE OF A FRANCHISE OR FRANCHISES GIVEN OR GRANTED BY THE CITY OF ALBANY, AND FIXING THE PENALTIES FOR VIOLATION THEREOF.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section I. Unless it shall appear from the context that a different meaning is intended, the following words used in this ordinance shall have the meanings attached to them by this section:-

The word "street" shall mean and include any street, alley, avenue, court, highway, lane or other public place in the City of Albany.

The words "Public Utility Vehicles" shall mean and include any automobile, autobus, jitney, omnibus, autostage, auto truck, taxicab, or other vehicles propelled, operated, driven or drawn, by any motive power whatsoever, including vehicles drawn by horses or other animals, which is run or operated on the streets of the City of Albany, to a point within or without the City of Albany, or between particular points within the City of Albany or to a particular point within the City of Albany to or from a particular point without the City of Albany, or from any point or points outside the City of Albany through the City of Albany to any point or points outside the City of Albany, or over any particular route or routes for the purpose of offering a means of transportation of passengers or property for hire as a common carrier; provided, however, that railroad cars, street cars, hotel buses, auto buses, used exclusively as sight seeing cars and automobiles engaged in transporting school children between country homes and the schools of the City of Albany and under contract with the authorities of the school district in which such school is situated, shall be considered as "Public Utility Vehicles" within the meaning of this ordinance.

Section II. From and after the 23th day of February, 1922, it shall be unlawful for any person to operate a "Public Utility Vehicle" on any street of the City of Albany without having first obtained a franchise therefor from the City of Albany and no such franchise shall be given or granted except by ordinance, and the word person as used herein shall mean and include persons, firms, corporations, associations, their lessees, trustees, or receivers, appointed by any court whatsoever, either as principal, agent, or employee, and the singular shall include the plural.

Section III. Every such franchise shall be given or granted upon such terms, provisions and conditions as may be determined by the ordinance granting such franchise.

Section IV. Any person violating the provisions of this ordinance shall upon conviction thereof before the Recorder of the City of Albany, be

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punished by payment of a fine of not more than Fifty Dollars(\$50.00) for each and every offense or by imprisonment in the city jail not to exceed Twenty Days(20) or by both such fine and imprisonment, and each day that such offense shall continue shall be deemed a separate offense. The directors, officers and managers of any corporation violating the provisions of this ordinance shall be subject to the penalties herein provided.

Passed by the Council January 25th, 1922.

Approved by the Mayor January 27th, 1922.

P.A. Young,

Mayor.

Attest: D.H. Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON

County of Linn

} ss.

I, D.H. Bodine, Recorder of the City of Albany in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1022 has been by me carefully compared with the original Ordinance Bill No. 1119 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1119 passed by the Council January 25th, 1922 and approved by the Mayor January 27th, 1922.

WITNESS, my hand and official signature and the seal of the City of Albany, this 27th day of March 1922.

D.H. Bodine

Recorder of the City of Albany.