

ORDINANCE NO. 1058

A BILL FOR AN ORDINANCE To repeal Ordinance No. 1022 entitled "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", passed by the Council on the 25 day of January 1922, and approved by the Mayor of the City of Albany on the 27 day of January, 1922.

WHEREAS, The Supreme Court of the State of Oregon in case therein pending entitled "Kent vs Oregon City et al" has rendered an opinion and decision wherein they have adjudicated that municipalities have no right to exact a franchise tax from interurban common carrier vehicles, and

WHEREAS, It is useless to have in effect the above entitled ordinance of the City of Albany.

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

Section 1. That Ordinance No. 1022 entitled "An Ordinance defining in 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", passed by the Council on the 25 day of January, 1922, and approved by the Mayor on the 27th. day of January, 1922; be and the same is hereby repealed.

Passed by the Council 14th. day of March, 1923.

Approved by the Mayor 15 day of Mar., 1923.

P. A. Young,

Mayor

Attest: D. H. Rodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON,)

(ss

County of Linn,)

I, D. H. Rodine, 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. 1058 has been by me carefully compared with the original Ordinance Bill No. 1155, 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. 1155, passed by the Council March 14, 1923. and approved by the Mayor Mar. 15, 1923.

WITNESS, my hand and official signature and the seal of the City of Albany this 31 day of December, 1924.

D. H. Rodine

Recorder of the City of Albany.