

AN ORDINANCE

To Authorize the Erection, Construction and Operation of an Electric Light Plant and Telephone Lines, in the Town of Grand Junction, Colorado.

Be it Ordained by the Board of Trustees of the Town of Grand Junction, Colorado:

SECTION 1. That the Grand Junction Telephone and Electric Light Company, a corporation organized and existing under the laws of the State of Colorado, be and is hereby granted, subject to the conditions, stipulations and requirements hereinafter contained, the right and privilege to establish, construct, operate and maintain a plant and the necessary equipments in the town of Grand Junction, for the purpose of manufacturing electric light and furnishing the same to the inhabitants of the said town, and to said town in its corporate capacity, whenever it may desire to contract therefor, and for the purpose of furnishing telephonic communication; and for the foregoing purposes the said The Grand Junction Telephone and Electric Light Company are authorized to erect and maintain the necessary poles and posts, either of wood or iron or other suitable, safe and durable material, along or across the streets, avenues, alleys and public grounds of said town with the necessary lamps, and to place wires upon the said poles or posts and across the side walks, alleys, streets and public grounds of said town; provided, that all such work shall be done in such a manner and the posts and poles so located as to give to the people, residents and individuals of said town, the least possible inconvenience in the free use and occupancy of such streets, alleys and public grounds, and so as not to interfere with the laying of gas and water pipes, or the construction of sewers and drains; and all excavations or other injuries occasioned in doing said work shall be filled in, graded and repaired by said company, at its own cost and expense, in a good, substantial and workmanlike manner, as soon as practicable under the circumstances; and, provided further, that said company shall be and remain solely and exclusively responsible for all damage to person or property that may occur by reason of any negligence or unskillfulness in carrying on said work or in subsequent repairs or changes therein; and said company shall hold safe and harmless said town of Grand Junction, in its municipal capacity, from any and all loss or damage of any kind or description by reason thereof.

SEC. 2. The said company shall erect and keep in good and safe repair, all such poles, posts, lamps, wires and other proper apparatus, so long as the same may be kept for use, and shall at all times be prepared to furnish to said town of Grand Junction and to its inhabitants, proper facilities for telephonic communication, and also a good standard quality of electric light for illuminating purposes, at a fair and reasonable compensation, and at uniform prices for the same candle power; a schedule of prices for which shall be filed with the town recorder as soon as established, or whenever thereafter modified or changed, and by him kept for public inspection.

SEC. 3. No lamp or wires shall be placed or strung at a height less than eighteen feet above the streets, alleys or public grounds or places, save and except in cases of commercial lights placed in buildings or in the immediate front thereof, and then such lamps and wires shall not be placed or erected except subject to the order, inspection and approval of the committee on streets, alleys and bridges, or such other person or persons as may be designated by the Board of Trustees; and in no event shall any such poles, posts, wires or apparatus be placed or erected in such a manner as to obstruct or interfere with any irrigating ditch, gutter or drain, or the water running therein.

SEC. 4. The said company shall, within thirty days after the passage hereof, file with the town recorder its acceptance in writing of all the terms, conditions, stipulations and provisions of this ordinance, and shall within ninety days after filing said written acceptance, commence in good faith the erection of said plant, at some convenient and suitable locality in or near said town, and faithfully and diligently continue the prosecution of said work and complete and commence the operation of the same within nine months from the date of the acceptance hereof. When said acceptance is so filed with the town recorder, he shall record it in the book of ordinances of said town and the same together with this ordinance shall have the force and effect of a contract between said town and said company; and if said company shall fail to so file said acceptance within said time, then and in that event all the rights and privileges herein granted shall forever cease and determine, and this ordinance shall become a nullity.

SEC. 5. Any failure of said company to comply with the terms and provisions of this ordinance during the continuance of the grant herein, shall have the effect to work a forfeiture of all rights and privileges granted herein, and the Board of Trustees may, by resolution spread of record on the minute book, declare the same forfeited and all the rights acquired hereunder by said company, shall cease and be determined.

SEC. 6. All poles, posts, wire and apparatus shall be erected and maintained, subject to the supervision of the committee on streets, alleys and bridges, keeping in view, however, the reasonable convenience and accommodation of said company.

SEC. 7. This ordinance and the rights, privileges and franchises herein granted shall remain in full force for the term of twenty years from and after its passage and adoption, subject to the provisions, terms and conditions hereinbefore specified.

Passed and adopted March 12th, 1888.

JOS. P. SWENEY, Mayor.

Attest:

LORIN A. STALEY, Recorder pro tem.

attest
Lorin A. Staley
Recorder pro tem
Jos. P. Sweeney
Mayor

Grand Junction Feb 31st 1888.

To
Hon. Jos. P. Sweeney Mayor
and the hon. Board of Trustees
of the town of Grand Junction Colo

Gentlemen.

In accordance
with Section 4, we hereby file with your Recorder our
acceptance of the terms, conditions, stipulations and
provisions contained in the ordinance passed by
your honorable body March 12th 1888, "To Authorize
the Erection, Construction and Operation of an
Electric Light plant, and Telephone Lines in the
town of Grand Junction Colorado.

The Grand Junction Telephone and Electric Light Co
by J. F. McFarland
President.

Endorsed.

Filed in the office of the town Recorder this 2nd
day of April A.D. 1888.

Louis A. Staley
Recorder Pro. tem. of the town of Grand
Junction Colorado.