

## ORDINANCE No. 30

An Ordinance to authorize the erection, construction and operation of a system or systems of telephone lines, fire alarm telegraph lines, electric burglar alarm lines, district messenger service lines and the construction and operation of similar electric contrivances, excepting electric light.

Be it ordained by the City Council of Grand Junction:

Sec. 1. That William P. Clarke and Charles R. Williams, their heirs, executors, administrators, legal representatives and assigns, be and hereby are granted, subject to the conditions, stipulations and requirements hereinafter recited, the right and privilege, to purchase, construct, operate and maintain a system or systems and the necessary equipments, in the city of Grand Junction, Colorado, for the term of twenty years from the date of the adoption of this ordinance, for any one or all of the following purposes:

For the operating telephone lines; for operating fire alarm telegraph lines; for operating electric burglar alarm lines and the operating of similar electric contrivances excepting electric light. And for anyone or more of all said purposes the said William P. Clarke and Charles R. Williams, their heirs, executors, administrators, legal representatives and assigns are hereby authorized to purchase, erect, construct and maintain the necessary poles or posts of suitable and safe material, and string the same with wire, through, along or across the streets, avenues, alleys, sidewalks and public grounds now or hereinafter existing, of said city, with the necessary wires, poles and apparatus of any one or more of the purposes aforesaid. Provided that all such work shall be done in such manner and the said poles and wires so arranged as to give the people of said city the least possible inconvenience and the free use and occupancy of such streets, alleys, sidewalks and public grounds and so as to interfere as little as possible with the laying of gas and water pipes, or the construction of sewers and drains; and all excavations occasioned by the doing of said work shall be refilled, graded and repaired by said parties, their heirs, executors, legal representatives and assigns, at their own cost and expense, in a good, substantial and workmanlike and manner as soon as practicable under the circumstances. Provided further that the said parties, their heirs, executors, administrators, legal representatives and assigns shall be and remain solely and exclusively responsible for an damage to person and property that may occur by reason of negligence or unskillfulness in the carrying out of such work or in the subsequent repairs or changes therein: and said parties, their heirs, executors, administrators, legal representatives and assigns shall hold safe and harmless the said city of Grand Junction, in its municipal capacity, from any and all loss and damage of any kind and description by reason thereof.

Sec. 2. All wires shall be run on poles which shall not be less than twenty feet in height above the ground and not less than four inches in diameter at the smaller end. The said poles to be placed in alleys except where it is an absolute necessity to place them in streets or avenues.

Sec. 3. The schedule of prices for service shall be filed with the City Clerk as soon as established or whenever thereafter modified.

Sec. 4. The said parties shall within ten days after the passage of this ordinance, file with the City Clerk their acceptance in writing of all the terms, conditions, stipulations and provisions hereof, which said acceptance shall, by the City Clerk, be recorded in the book of ordinances of this city, and the said parties shall before January 1st, 1895, begin in good faith, the construction and erection of their lines, and shall continue the prosecution of said work, and commence the operation thereof before June 1st, 1895. And if they, their heirs or assigns fail to do so, or in any substantial manner fail to comply with the provisions of this ordinance, such failure shall have the effect of forfeiting the rights and privileges hereby granted them.

Sec. 5. The right to pass such ordinances as may be necessary to properly supervise the construction of said lines is expressly reserved and no poles shall be erected nor any wires stretched along any street or avenue or public ground without the approval of the majority of the committee on streets and alleys; and all such work shall be under the supervision of said committee; and it is further provided that at any time in the opinion of the Council any such line or lines on said streets or avenues shall become dangerous to life or become a nuisance the council may order the same removed in such time and manner as may be equitable under the circumstances.

Sec. 6. In consideration of the granting of the above ordinance the said W. P. Clarke and Charles R. Williams, their heirs and assigns, agree to furnish the said City of Grand Junction, one telephone, free of charge, for each hose house or fire department building, as now used or may hereafter be established, but said telephones shall only be for use in the case of fire and the use of the said members of the fire department as such.

Attest,  
B. F. JAY,  
C. t. Clerk.

M. L. ALLISON,  
Mayor.

*M. L. Allison*  
*B. F. Jay* Clerk *Mayor*