

ORDINANCE No. .189...

Brainard

AN ORDINANCE, Granting to L. L. NUNN, his heirs, successors and assigns, the authority, right, privilege and franchise to distribute electricity and electrical currents for the purpose of furnishing electricity for light, heat, power and other domestic and commercial purposes to the CITY of Payette and to the inhabitants thereof, and any other business or corporation desirous of using the same under, in, on, across and over all alley-ways, avenues, lanes, bridges and public places in the CITY of Payette, Canyon County, State of Idaho, as the same now exist or may hereafter be extended, and in addition, to locate, construct, erect, operate and maintain poles, wires, subways, conduits, underground conduits, and electrical conductors, necessary braces, cross braces, supports, arms, cross-arms, feeders and other necessary appurtenances and appliances for the reception into the CITY of Payette, Canyon County, State of Idaho, and for the transmission on, in and through the same of said electricity and electrical currents, and providing for the terms and conditions under which said authority is given and granted.

BE IT ORDAINED, By the MAYOR and the Common Councils of the CITY of Payette:

Section 1. There is hereby granted to L. L. NUNN, his heirs, successors and assigns a full complete right, authority, privilege, permission and franchise to distribute electricity and electrical currents for the purpose of furnishing electricity for light, heat, culinary, power

and other domestic and commercial purposes to the CITY of Payette, and to the inhabitants thereof and to any other business or corporation desirous of using the same in, on, under, over, and across all alley-ways, avenues, lanes, bridges and public places in the CITY of Payette, Canyon County, State of Idaho, as the same now exist or may hereafter be further laid out or extended, and in addition to locate, construct, operate and to maintain works, poles, wires, subways, conduits, underground conduits with the necessary braces, arms, cross-arms, feeders and other necessary appliances and appurtenances for the reception into the CITY of Payette, Canyon County, State of Idaho, and the transmission in and through the same of said electricity and electrical currents.

Section 2. Any and all poles that shall hereafter be located or erected or placed under the authority of this ordinance and franchise, shall be symmetrical in shape (and shall be at least twenty-five (25) feet (excepting in alleys where they shall be at least twenty (20) feet) above the ground,) of good sound material, of sufficient size and placed in the ground at such a depth as will properly support all wires, eliminating as far as practical, the use of guy ropes and braces; poles and lines shall be placed at the outer edge or side of streets or alleys wherein the same may be located, in such place or places as will not interfere with the ordinary and customary use of the same; the location of the poles and lines shall be under the direction of the CITY Council; and no unnecessary injury shall be done to shade trees along the line of location.

cut out height of poles

All wires placed and stretched by virtue of this franchise shall be safely placed (at least twenty (20) feet from the ground) in such a way that they shall not interfere

{ 25 feet above ground

* Old filed with
Council showing
creation of franchise.

with reasonable use of the streets, alley-ways and public places by the public, and at least four (4) feet from any wires lawfully entitled to be in any of said streets, alleys or public places, at the time of acceptance of this franchise.

*

Substitute Sec 3
7-20-1910
for this

Section 3. The said L. L. NUNN shall do no permanent injury to any of the streets, sidewalks, alleys, lanes or public places. Whenever it shall become necessary to disturb or interfere with the condition of the streets, sidewalks, alleys, lanes or public places, he shall restore them to their former condition within a reasonable time.

Section 4. IN consideration of the franchise here-in mentioned the said L. L. NUNN shall furnish electricity and electrical currents to the said CITY of Payette, the inhabitants and corporations thereof at the following rates to-wit:

LIGHT RATES

For lighting purposes not to exceed fifteen (15) cents per kilowatt hour. A minimum charge may be made by the said L.L. NUNN of not less than one dollar and fifty cents (\$1.50) per month to the regular customers.

POWER RATES

The maximum charge for the maintaining of appliances in service shall not exceed two dollars (\$2.00) per month per horse power for connected load.

The maximum rate of power shall not exceed seven (7) cents per kilowatt hour.

CITY OF PAYETTE RATES

The light rates for the CITY of Payette shall not exceed the following for arc lights and incandescent lights to-wit:

For each two thousand (2000) candle power standard arc lamps Seven Dollars and fifth cents (\$7,50) per month.

For each four hundred (400) watt Tungston street lamps, five

Substitute
Rate in 1910
Sept - 1910

dollars (\$5.00) per month. For each candle power incandescent lamps per month.

Electrical current for use in pumping water within the limits of the CITY, shall not be higher than rates charged for similar service, for similar acreage, contiguous to the CITY.

Section 5. The holder of this franchise shall keep free and harmless the CITY of Payette from all injury or damage sustained to any person or property by the lack of ordinary care on the part of said holder in the exercise of this franchise.

Section 6. In further consideration of the franchise herein granted, the said L. L. NUNN agrees to furnish the said CITY of Payette the following amount of electric current free from any charge whatsoever, to-wit:

..... candle power incandescent lamps for lighting the CITY hall and fire station.

In no event shall any charge or claim be made against said CITY for such electric current hereinbefore mentioned and the said free service granted by the said L. L. NUNN to the said CITY of Payette shall be deemed and held to be the license tax for this franchise and its use.

Section 7. All rights and privileges granted under this franchise to the said L.L. NUNN, his heirs, successors and assigns shall be in force and effect for the term of (fifty (50) years) from and after the date of the acceptance hereof as provided in section ten hereafter.

Section 8. The rights and privileges granted under this ordinance and franchise are and shall remain transferable, and the said CITY consents that any grantee, assignee or successor may, at any time during the life of this franchise, freely and completely transfer the same to

*Amended 10/2/1930
Section 5*

*Free light
franchise
city hall
fire station
Nunn
27 candles
license for
franchise*

Thank you

any person or corporation, it being understood however, that by the transfer the transferee is obligated and bound by all the provisions and conditions contained in this ordinance to be done and performed by the said L. L. NUNN.

Section 9. Unless electrical current shall be delivered for use in the CITY of Payette on or before..... 1911, by the said L. L. NUNN, or his assigns, then this franchise shall be voidable at the option of the Board.

Section 10. The said L. L. NUNN shall within ninety (90) days after the passage of this ordinance and franchise file an unconditional acceptance thereon in writing with the City Clerk of the City of Payette and any rights or privileges herein granted shall be null and void unless such acceptance is so filed.

Passed this day of A. D. 1911.

Approved this day of A. D. 1911.

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M A Y O R

Of the City of Payette.

Attest:

.....

City Clerk of the City of
Payette.

*June 1 - 1911
Ordinance 215
L. L. Nunn
City of Payette*