

ORDINANCE NO. 260
By Thurston

An ordinance to amend Ordinance No. 229 of the City of Payette, Canyon County, Idaho, which was passed and approved on the 28th day of April, 1913, and which is entitled:

"AN ORDINANCE GRANTING TO THE BEAVER RIVER POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, THE AUTHORITY, RIGHT, PRIVILEGE AND FRANCHISE TO DISTRIBUTE ELECTRICITY AND ELECTRICAL CURRENTS FOR THE PURPOSE OF FURNISHING THE SAME FOR LIGHT, HEAT, POWER AND ALL OTHER PURPOSES TO THE CITY OF PAYETTE, CANYON COUNTY, STATE OF IDAHO, AND TO THE INHABITANTS THEREOF, AND ALL OTHER PERSONS AND CORPORATIONS DESIROUS OF USING THE SAME, ALONG, IN, ACROSS, OVER, UPON AND UNDER THE STREETS, ALLEY-WAYS, AVENUES, LANES, BRIDGES AND PUBLIC PLACES IN SAID CITY OF PAYETTE AS THE SAME NOW EXIST OR MAY HEREAFTER BE ACQUIRED, LAID OUT OR EXTENDED; AND IN ADDITION THERETO THE AUTHORITY, RIGHT, PRIVILEGE AND FRANCHISE TO LOCATE, CONSTRUCT, OPERATE AND MAINTAIN WORKS, POLES, WIRES, SUB-WAYS, CONDUITS, UNDERGROUND CONDUITS, ELECTRICAL CONDUCTORS, CROSS-BRACES, CROSS-ARMS, FEEDERS AND OTHER NECESSARY OR PROPER APPURTENANCES AND APPLIANCES FOR THE RECEPTION INTO SAID CITY OF PAYETTE AND THE TRANSMISSION AND DISTRIBUTION IN AND THROUGH THE SAME OF SAID ELECTRICITY AND ELECTRICAL CURRENTS FOR THE PURPOSES AFORESAID, ALONG, IN, ACROSS, OVER, UPON AND UNDER THE SAID STREETS, ALLEY-WAYS, AVENUES, LANES, BRIDGES AND PUBLIC PLACES OF SAID CITY OF PAYETTE AS THE SAME NOW EXIST OR MAY HEREAFTER BE ACQUIRED, LAID-OUT, OR EXTENDED; AND PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH SAID AUTHORITY AND FRANCHISE IS GIVEN AND GRANTED."

BE IT ORDAINED by the Mayor and City Council of the City of Payette, Canyon County, State of Idaho:

Sec. 1. That Section 9 of said franchise be and is hereby amended to read as follows:

Sec. 9. Unless electrical current shall be delivered

for use in the City of Payette on or before January 1, 1915, by the said The Beaver River Power Company, or its successors or assigns, then this franchise shall be voidable at the option of the City Council, Provided, however, that if on or before said January 1, 1915, the said The Beaver River Power Company shall have built at least five miles of line in addition to its existing line intended for use in delivering said current to the City of Payette, then this franchise shall not become voidable, unless said company fails to deliver current for use in said City on or before two years from the date that this ordinance becomes effective. Provided, however, that the time above mentioned shall be extended to the extent that grantee, its successors and assigns is prevented after January 1st, 1914, from the fulfillment of the terms of this Section by operation of law,, fires, strikes, riot, order of court, or of the Public Utilities Commission of the State of Idaho, or other cause beyond the control of the said grantee, its successors or assigns.

Section 2. That Section 6 of said Ordinance No. 229 of said City be and the same is hereby amended to read as follows, to-wit:

"Section 6. Said company and its successors and assigns in consideration of the granting of this franchise agree to furnish the said city of Payette the following service free of charge for use only in lighting or heating the City Hall Building: 150 kilowatt hours per month until the population of the city increased to 7,500, then the said city shall be entitled to 250 kilowatt hours per month until the population increases to 10,000, at which time the city shall be entitled to 500 kilowatt hours per month.

In addition to the above free service said company shall furnish one 10 candle power incandescent light for the

City pumping station, and two 16 candle power incandescent lights for each of the City fire stations and shall furnish power for 17 sixteen candle power lamps for lighting the Elks Statue at the water fountain at the intersection of Seventh St. and First Avenue North; and the necessary current for the lighting of the 'Payette, Idaho' sign situated immediately east of the Elk's statue above mentioned from dusk until dawn free of charge, the lights to be turned on and off by the City. Also sufficient current to properly light the two bridges across the Payette River and the Bridge across the Snake River all of which are tributary to the City of Payette. Also three 16 candle power lights in each of the two pumping plants belonging to the City of Payette.

In no case shall the company be entitled to any compensation for the said service herein named as free service, and such free service shall be deemed to be the license tax paid by the said company for this franchise.

Provided, that said The Beaver River Power Company, its successors and assigns, shall only be required to furnish the free service hereinabove mentioned at such times as it shall be furnishing said city of Payette, for such compensation as may be agreed upon all electric current used by said City for street lighting."

Section 5. This ordinance shall not be effective until the Idaho Power & Light Company, successor in interest of The Beaver River Power Company, shall file with the City Clerk of the City of Payette, an unconditional written acceptance agreeing to the amendments made.

Passed this 3rd day of July 1914.

Approved this 3rd day of July, 1914.

C. B. Compton

Mayor of the City of
Payette, Canyon County,
Idaho.

ATTEST:

Martine O'Brien

City Clerk

H. R. Waldo
Boise

STATE OF IDAHO,)
County of Canyon, (ss.
City of Payette,)

I, _____ City Clerk of
the City of Payette, Canyon County, Idaho, do hereby certify
that the foregoing is a full, true and correct copy of
ordinance No. _____ of said City of Payette, duly passed
and approved as set forth above and thereafter published in
accordance with law in the _____
a newspaper published in said City of Payette on the _____
day of _____, 1914.

IN WITNESS WHEREOF, I have hereunto set my hand
and the seal of said City of Payette this _____ day of _____
1914.

City Clerk

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