

ORDINANCE NUMBER 356 BY SHERWOOD.

AN ORDINANCE GRANTING TO BINARY ADVERTISING CO., THEIR SUCCESSORS, AND ASSIGNS A FRANCHISE FOR A PERIOD OF FIVE YEARS OF THE RIGHT TO PLACE, KEEP AND MAINTAIN UPON THE STREETS AND ALLEYS OF THE CITY OF PAYETTE, IDAHO, CANS FOR THE COLLECTION OF REFUSE AND THE EXCLUSIVE RIGHT TO ADVERTISE THEREON; REQUIRING THE SAME TO BE KEPT CLEAN AND SANITARY; FIXING THE DUTIES OF THE CHIEF OF POLICE UNDER THE INSTRUCTIONS OF THE MAYOR IN RELATION THERETO; PROVIDING FOR A REVOCATION OF THIS FRANCHISE; AND REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, STATE OF IDAHO.

Section 1.

That Binary Advertising Co., a corporation of the State of Idaho, its successors, and assigns be and it is hereby granted the franchise and right for a period of five years from and after the passage and approval of this ordinance, to place and maintain upon the streets and alleys within the said City of Payette, cans, for the collection of refuse deposited therein by the citizens and others using said streets and alleys, and for the purpose of advertising thereon; provided said cans shall be made of not less than number 28 galvanized iron and be fitted with a metal spring top in such a manner as to make the said cans as nearly air tight as possible, the construction of said cans to be approved by the said City of Payette.

Section 2.

That said cans shall not be less than twenty-four inches square at the bottom and not less than twenty-four nor more than twenty-eight inches high; and also provided that not less than twelve of said cans shall be kept and maintained in the business section of said City of Payette, Idaho.

Section 3.

That said cans shall be placed on said streets and alleys in convenient places for the deposit of refuse by the public, and in such a manner as not to interfere with or incommode the public in the use of said streets and alleys, provided further, however, that it shall not be lawful to deposit in said cans any sweepings or ashes from any store, business house or residence in the said City of Payette.

Section 4.

That it shall be the duty of said Binary Advertising Co., its successors, and assigns, at their own cost and expense to keep said cans attractively painted, but that they may paint thereon or display therefrom such advertising matter in such a manner as will not detract from the usefulness of said cans, or be detrimental to public morals.

Section 5.

That the said Binary Advertising Co., its successors, and assigns, at its own cost and expense, shall at all times keep said cans in good condition and shall empty the same whenever they become filled and after emptying the same, said cans shall be thoroughly cleansed inside and outside and fumigated when necessary and in any event, whether the same shall be filled or not, the same shall be emptied and thoroughly cleansed once in every thirty days.

Section 6.

That it shall be the duty of the Mayor and the Chief of Police of the City of Payette to require said cans to be kept and maintained

in a clean and sanitary condition and they may require the same to be emptied and cleansed at any time the said cans shall become unsanitary or detrimental to the health of the inhabitants of the City of Payette and if the said Binary Advertising Co., its successors, and assigns shall neglect or refuse for a period of fifteen days after being notified by the Mayor or Chief of Police in writing, to empty, cleanse, fumigate or repair any such can, then the Mayor and Council may revoke this franchise and rights granted hereunder.

Section 7.

That this Ordinance and Franchise is passed and granted on condition that the said Binary Advertising Co., its successors, and assigns, shall without any expense or charge to the City of Payette or its inhabitants, place, care for, and maintain such cans on the said streets and alleys, and further that within sixty days from the passage and approval of this ordinance that at least twelve of such cans shall be placed in convenient places within the business section of the said City of Payette. And in no event shall said city be liable for the loss of or damage to any of said cans.

Section 8.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed by the Council this 25th day of 1922
Approved by the Mayor this 25th day of 1922

J. R. Woodward

MAYOR

Walter V. Smith

CLERK