

*Repealed by  
Ord. No. 128  
Page 192-193  
Date not specified  
#21*

ORDINANCE NO. 21

AN ORDINANCE TO GRANT A TELEPHONE FRANCHISE TO  
THE SUNSET TELEPHONE AND TELEGRAPH COMPANY.

Be it ordained by the council of the town of Kirkland:  
SECTION I.

The Town of Kirkland hereby grants unto the Sunset Telephone and Telegraph Company, a corporation organized under the laws of the State of California, its successors and assigns, the right and privilege to do a telephone business within said Town, and to place, erect, lay maintain and operate in, over, and under the streets, avenues, alleys and highways within said Town, wires and other appliances and conductors for the transmission of electricity for telephone purposes; such wires or conductors may be strung upon poles or other fixtures above ground, or at the option of the said grantee, its successors and assigns, may be laid underground in pipes or conduits, or otherwise protected, and such other apparatus may be used as may be necessary or proper to operate and maintain the same.

SECTION II.

It shall be lawful for said Company, its successors or assigns, to make all needful and convenient excavations in any of said streets, avenues, alleys and highways for the purpose of erecting and maintaining poles and other supports, or laying pipes or conduits, for said wires. But it shall be the duty of said Company to properly protect any such excavations, and in case of any accident or injury to any person by reason of any such excavations of said Company shall save and keep harmless said Town from any and all, liability on that account.

SECTION III.

Any and all work done by said Company shall be done with promptness and dispatch, and any street, avenue, alley or highway disturbed shall be restored to its original condition.

SECTION IV.

Before proceeding to disturb any street, avenue, alley or highway said Company shall file with the Town Clerk a map and specifications of the work intended to be done, and shall get the same approved by the Superintendent of Streets;

but such approval shall not be withheld unless such work will interfere with property of the Town. All work shall be done under the supervision of the Superintendent of Streets. In case of any change in the officers of the Town, this right of supervision and approval is hereby reserved to such officer or officers as may have charge of the streets.

#### SECTION V.

The Town of Kirkland shall have the right to suspend upon the poles of the Company, or lay in its conduits, any and all wires it may hereafter require for fire alarm or police telegraph service.

#### SECTION VI.

Whenever it may be necessary in the opinion of the Town Council to change the location of any pole or poles, the Company shall upon reasonable notice change the same. When such a change is made at the instance of the Town, the Town shall pay the cost of removal, but not be liable for any interference with the business of the Company.

#### SECTION VII.

The charges for telephone service to all persons residing in the Town shall not exceed the following rates:

Four party Residence	\$2.00 per month.
Four party Business	3.50 Per month
Individual Residence	3.00 Per month
Individual Business	6.00 per month.

#### SECTION VIII.

The Company agrees to be prepared to furnish good telephone service to the residents of the Town within four (4) months after the passage of this ordinance. Such service shall include the whole of the Company's service operated by it in the City of Seattle, and in the matter of service the telephones in this Town shall be conducted as though part of the Company's Seattle telephone system; and no toll or other charges made, except as hereinafter provided.

#### SECTION IX.

The Company shall furnish to the Town, free of charge, telephones at the following places:

- The residence of the Mayor.
- The residence of the Town Clerk.
- The residence of the Town Marshall.

The regular place of meeting of the Council.

The Office of the Town Attorney

SECTION X.

All the terms, conditions and provisions of this ordinance shall be binding on said Company, and its successors and assigns; and for any violation thereof the Town Council may declare the same forfeited.

SECTION XI.

Within fifteen (15) days after the passage of this ordinance, the Company shall file with the Town Clerk an acceptance thereof, agreeing to <sup>be</sup> bound by all the terms thereof; and in case of its failure so to do the grant herein contained shall lapse.

SECTION XII.

This grant herein contained shall extend for the period of 25 years from the passage of this ordinance.

Approved this 25th day of August 1906.  
 R. H. Collins Mayor.

I, A. J. Churchill Town Clerk of the town of Kirkland, in the County of King and State of Washington do hereby certify that the foregoing ordinance of the town of Kirkland is a true and correct copy of an ordinance of the town of Kirkland numbered 21 and entitled "An Ordinance to grant a Telephone franchise to the Sun Set Telephone and Telegraph Company" and I hereby certify that the same was passed by the council of said Town on the 24th day of Aug. 1906 and that the same has been passed according to law.

A. J. Churchill  
 Town Clerk of the  
 Town of Kirkland