

ORDINANCE NO. 45.

AN ORDINANCE TO GRANT ELECTRIC LIGHT AND POWER FRANCHISE

TO

KIRKLAND LIGHT & POWER COMPANY.

Be it ordained by the Council of the Town of Kirkland.

Section I. The Town of Kirkland hereby grants unto James Bell and T. L. Kyler, co-partners doing business as the Kirkland Light & Power Company, their successors and assigns, hereinafter called the company, the right and privilege to do electric light and power 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. Such wires or conductors may be strung upon poles or other fixtures above ground, but said Town of Kirkland especially reserves to itself and its successors and assigns the right to order any of the wires and other apparatus belonging to said company put under ground at the expense of said company whenever the population ^{of said Town} shall exceed Twenty-five Thousand (25,000).

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 said specifications shall be map and approved by the Street Committee and Superintendent of Streets; but such approval shall not be withheld unless such work will interfere with any property of the town, or will be to the detriment of any private property. All work shall be done under the supervision of the Street Committee and Superintendent of 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 business of the Company.

Section VII. The charges for electricity to all persons residing in the town shall not exceed the following rates:

Three 16 Candle Power Lights, \$1.00 per month.

25 cents for each additional light " "

Six-Ampere Arc Lights, \$6.00 " " *Each*

The Company shall establish and maintain, free of charge, one arc light in the Town Hall or Council Chamber.

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

Section X. If the Company shall fail to begin construction before January 1st, 1909, then this grant shall be null and void.

Section XI. This grant herein contained shall extend for the period of twenty-five (25) years from the passage of this ordinance.

Approved this 25th day of September 1908.

 W. B. Phillips

MAYOR.

I, A. T. Churchill, Town Clerk of the Town of Kirkland, in the County of King and State of Washington, do hereby certify that the foregoing ordinance is a true and correct copy of an ordinance of the Town of Kirkland, numbered 45 and entitled "An Ordinance to grant electric light and power franchise to Kirkland Light & Power Company," and I hereby certify that the same was passed by the Council of said town on the 25 day of July 1908, and that the same has been posted according to law.

 A. T. Churchill

Town Clerk of the Town of Kirkland.