ORDINANCE NO. 118

An ordinance granting to W. F. Turner and J. M. Barker, their heirs, associates, successors, and assigns the exclusive right to erect, maintain, extend andoperate an electric light and power system in the town of Atkins, Arkansas, for the purpose of furnishing heat, light, and power to said town and its inhabitants; and contracting with said W. F. Turner and J. M. Barker, their heirs associates, successors, and assigns for the furnishing of light and power to said town of Atkins, Arkansas.

Be it ordained by the Mayor and Council of the Incorporated Town of Atkins, Arkansas.

Section 1. The word grantees when used in this ordinance shall denote and be construed to mean W. F. Turner and J. M. Barker, their heirs, associates, successors, and assigns.

Section 2. The grantees are hereby granted a franchise for a period of fifty years from and after the passage and approval of this ordinance, with absolute and exclusive right, power and authority to erect, maintain, extend and operate an electric light and power plant, with its machiner, poles, wires and other applicances, within the present and future coporate limits of the town of Atkins, for the purpose of generating and furnishing to said town and its inhabitants, light, haat, and power, and for said purpose to enter upon and use the streets, alleys and public grounds of said town, and place therein and thereon such poles, wires apparatus and appliances as may be necessary proper and desirable. This franchise is exlusive, it being understood and agreed that no other franchise will be granted by said incorporated town to any person, corporation or partnership, to maintain a lighting and power plant, either electric or gas, artificial or matural, in said town or to furnish light and power to said town or its inhabitants, during the life of this franchise.

Section 3. The grantees shall so place said poles and wires as to not interfere with the ordinary use of said streets and alleys and public grounds by the general public.

Section 4. The grantees shall install and equip an electric lighting and power plant in said town of sufficient size, capacity and character to privide first-class service and furnish on reasonable notice all necessary litht, heat and power for said town and its inhabitants during the life of this franchise.

Section 5. As a consideration or inducement for the grantees to build and operate said light and power plant, the said town of Atkins hereby covenants and agrees to rent from said grantees beginning when said plant is first put into operation, and continueing through the life of this franchise, street lights amounting to not less than Fifty ($50.00) Dollars a month at the rate per light shall be no higher than charges for similar lights in other town similarly situated. The town council of the incorporated town of Atkins, Arkansas, shall designate at what particular points on said streets and alleys said lights shall be placed and maintained.

Section 6. Permission and authority is hereby given the grantees to furnish, during the term of this franchise light, heat and power to the inhabitants of said town, or to any parternship or corporation, and to charge for furnishing ~~xxxxxxxxxxxxxx~~ light, heat and power any reasonably price which shall not be greater than the average price charged by lighting plants in similar towns in the state of Arkansas. Grantees may require any or all consumers to pay for service on the basis of meter rates, the meters to be of standard and reliable make, and the charge to be not greater than the average chargemade to be by lighting plants in similar towns of this state for the same service.

Section 7. Service shall be furnished the inhabitants of said town without discrimination, but the grantees may make special rates to large consumers or for power work; and the grantees shall not be required to supply consumers who are in the arrears for light or power until arrears shall have been paid.

Section 8. When it shall be necessary to remove any poles or wires in order to remove any building or structure the same shall be done by the grantees, the cost to be borne by the person causing or requesting the same to be done, and the grantees may demand a deposit of the estimated cost of the work before removing such poles or wires.

Section 9. Grantees shall charge the consumers the cost of the materials and the price of labor for all wiring and fixtures done in residences, stores, offices and otherplaces and may require payment for the same before turning on the current.

Section 10. Said town shall by appropriate ordinances, protect the grantees in the enjoyment of their rights and privileges under this franchise and contract, and shall prescribe proper and lawful penalties for intereference with grantees in the operation and maintenance of said lighting and power plant and for damges that may be done to their property.

Section 11. Grantees shall install a plant as above provided for and have the same in operation within one year after the approval of this ordinance. In the event the grantees shall fail to furnish good serivce, as herein provided for, this franchise shall become null and void; but no forefeiture shall be declared of grantees rights herein becuase of unavoidable accidents or such as can not be controlled by human agency.

Section 12. This ordinance shall take effect and be in force from and after its passage and publication.

Passed and approved September 6, 1910.

A. J. McCollum, Mayor

Attest:
C. H. Croom, Recorder