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ORDINANCE NO. 141

An ordinance granting to W. H. Jones and L. L. Evans, their heirs and assigns the right to erect, equip, maintain and operate an electric light and power plant in the town of Atkins, Arkansas.

Be it ordained by the town council of the incorporated town of Atkins, Arkansas:

Section 1. That W. H. Jones and L. L. Evans, their heirs and assigns be and are hereby granted the right and franchise to erect, equip, maintain and operate an electric light and power plant in the present and future limits of said town for the purpose of generating transmitting and selling electricity and electric service, electric lights and power for other purposes and may enter upon, along and across and may occupy as may be necessary any and all of the streets, alleys and public grounds belonging to or under the control of said town for the purpose of erecting the poles, posts, stubs, anchors and stretching the wires and all other necessary appratus and applicances and maintaining same. Said poles, posts, and anchors to be so located so as not to interefere with the public travel, and all wires and line construction shall be erected and maintained in a safe and proper manner so as not to endanger life or property. All wiring of houses by said grantees shall be done in accordance with the rules of the Arkansas Underwriters Association. The right and privilege hereby granted is exclusive and shall exist fro a period of thirty-five years from passage and publication of this ordinance and its acceptance by the persons herein named or their assigns.

Section 2. The incorporated town of Atkins, Arkansas, in consideration of the benefits to accrue to said town by reason of having its streets lighted and also the benefits to be derived by her citizens and to encourage the grantees or assigns hereby agrees to rent all lights used for street lighting and any and all other power that may be needed for public use during the term of this franchise from said grantees and by these presents contracts for and agrees to pay for said lights monthly in city warrants at customary rates or price for similar service with a minimum charge of not less than seventy-five dollars per month for a period of four years and at and after the expiration of four years the minimum charge may be agreed upon between the town council and parties owning this franchise for future service in accordance with the circumstances and conditions then existing.

Section 3. The electric light and power plant herein before referred to shall be carefully constructed and capable of furnishing the town with all the electric lights it may require for public use and the inhabitants with all the lights they may require for private use.

Section 4. Upon the grantees accepting this franchise by the erection of an electic light plant they shall place in the city hall or a room designated for transacting city business and public speaking sufficient lights to light said room as may be required ty the town council and operate the same free of cost to the city for the full term of this franchise.

Section 5, The incorporated town of Atkins, Arkansas, in consideration of the grantees maintaining said lights referred to in section four free of costs to the town hereby contract and agree in addition to the stiuplation herein beofre set forth to faithfully protect sdd grantees in the use and enjoyment of the sale and exclusive right to erect, maintain, and operate an electric light and power plant within said town for the full term of thirty-five years, provided that this grant shall in no way interfere with the rights of any private party to erect, maintain and operate electric light and power plants for their own use.

Section 6. The grantees. W. H. Jones and L. L. Evans, their heirs or assigns, shall have the right during the continuance of this franchise to fix and collect reasonable charges for electricity for light, power, and other purposes provided there shall not be charged a rate to exceed twenty cents per kilowat hour with a minimum charge per month to a customer of one dollar and twenty-five cents and the right is hereby granted to said grantees and assigns tomake all needful rules and regulations for operating and protecting their plants, supplying customers, shutting off service for the nonpayment of bills by private consumers and preventing waste or wrongful use of electricity, power or commodity furnished by said grantees or assigns and the town agrees to pass from time to time when the necessity therefor arises such ordinances as may be necessary to aid in the enforcemtn of such rules and regulations ~~xxxx

Section 10. This contract and franchise may be assigned by the said W. H. Jones and L. L Evans and their assigns, but in each case and before such assignment shall become effective so as to bind the incorporated town of Atkins, Arkansas, a copy of said assignment shall be filed with the city recorder for record upon his minutes or records and any assignee of this franchise shall then suceed to all the rights and privileges herein granted and shall be bound to perform all the obligations herein assumed by the said W. H. Hones and L. L. Evans.

Section 11. It being necessary for theimmediate preservation of public peace, health and safety, this Ordinance shall take effect and be in full force from and after its passage and publication, andall ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Passed and approved May 6, 1913. A. J. McCollum, Mayor

Attest: W. J. Jones, City Recorder

We hereby accept thte foregoing franchise and contract.

W. H. Jones )
) Grantees
L. L. Evans )

Filed:

May 6, 1913, W. J. Jones, City Recorder