**ORDINANCE # 27**

**AN ORDINANCE GRANTING TO ENTERPRISE ELECTRIC COMPANY, ITS EXECUTORS, ADMINISTRATORS AND ASSIGNS, THE RIGHT AND PRIVILEGE TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC LIGHT SYSTEM AND PLANT IN THE CITY OF LOSTINE, COUNTY OF WALLOWA, STATE OR OREGON, FOR THE PURPOSE OF FURNISHING AND SUPPLYING SAID CITY AND ITS INHABITANTS AND CORPORATIONS WITH ELECTRIC LIGHT, ELECTRIC POWER FOR PROPELLING MACHINERY, AND FOR ELECTRIC HEATING OF WHATEVER NATURE OR KIND, AND TO CHARGE AND COLLECT RATES THEREFORE.**

BE IT ORDAINED by the Common Council of the City of Lostine, Oregon:-

SECTION 1. that Enterprise Electric Company; its executors, administrators and assigns, do be, and they are hereby given and grants the right and privilege and they are hereby authorized to build, construct, maintain and operate an electric light system and plant in the City of Lostine , county of Wallowa, State of Oregon, and to place poles and string wires thereon not less than twenty-four (24) feet above the grade of the streets, avenues, lanes, alley’s and ways of said City , and either to place said wires overhead or underground, for the purpose of supplying said City, its citizens, inhabitants and corporations with electric light and electric power for propelling machinery and for electric heating purposes of whatever kind or nature, providing that such poles be placed in such places in and along said streets, avenues, lanes alleys and ways of said City as the Common Council of said City may direct.

SECTION 2. That the right and privilege given and granted to said Enterprise Electric Company, its executors, administrators and assigned in section one of this ordinance shall not be exclusive, and shall not be construed, intended or understood to prevent the granting of like privileges and fights to other persons, firms, or corporations.

SECTION 3. All rights and privileges not herein granted to said Enterprise Electric Company, its executors, administrators and assigns, are hereby reserved to said City.

SECTION 4. That said Enterprise Electric Company, its executors, administrators and assigns, while, during and at the time of sitting poles and stringing wires thereon, in the streets, avenues, alleys and ways, or any part of them in said City, shall not obstruct or cause to be obstructed, or permit or allow any of said streets, avenues, lanes, alleys or ways, or any part thereof to be obstructed, or made inconvenient to persons, teams and vehicles desiring to use and pass along, in, through or over the same, and shall not use more then one-half of any street, avenue, lanes, alley or way during the construction of said electric light plant, or any portion thereof.

SECTION 5. That the rights and privileges given and granted to the said Enterprise Electric Company, its executors, administrators and assigns in section One of this ordinance shall continue and they are hereby granted said rights and privileges for the term of ten (10) years from and after this ordinance is accepted, as in this ordinance provided.

And for, and in consideration of the rights and privileges herein given and granted, the said Enterprise Electric Company hereby promises and agrees to furnish, free of cost to said City, the necessary current for the proper lighting of a Council Chamber and Hose House in said City for and during the term of ten (10) years from and after the adoption and acceptance of this Ordinance.

SECTION 6. That said Enterprise Electric Company, its executors, administrators and assigns, shall commence the building and construction of said electric light system within three months from and after the passage of this ordinance, and the same shall be fully completed so as to furnish electric lights to said City, its citizens and inhabitants, within three months from and after the passage of this ordinance.

SECTION 7. All the rights and privileges in this ordinance given and granted shall be void and shall revert back to said City upon the failure, refusal or neglect of said Enterprise electric Company, its executors, administrators and assign to comply with, keep, do or perform any of the terms and conditions of this ordinance; and said Company shall/forfeit all rights and privileges herein given and granted; provided unavoidable accident and reasonable and necessary delay shall not be such failure, refusal or neglect.

SECTION 8. That said Enterprise Electric Company, its executors, administrators, and assigns, shall at all times save and keep harmless the said City of Lostine, Oregon, from any and all cost, charges, expense and damages whatsoever, for or on account of any suit or suits or other actions or proceedings by any person or persons, or corporations claiming to be injured in any manner whatsoever by reason of the negligent building or construction of said electric light system or plant, or by reason of any pole or poles falling, coming in contact with any live wire or wires, or for any other cause whatsoever.

SECTION 9. That said Enterprise Electric Company shall file with the City Recorder of said City acceptance of all the terms and conditi9ons of this ordinance before the commencement of the construction of said electric light system, and before any rights and privileges herein granted and exercised and within one month after the publication or posting of this ordinance, otherwise it shall be deemed to have rejected the same an to have waived all rights hereunder.

SECTION 10. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Passed and approved the 14th day of August 1912.

Approved by the Mayor the 16th of August 1912