

ORDINANCE NO. 39

An ordinance authorizing Halstad Telephone Company, or its assigns, to build, construct, purchase, maintain, own or lease telephone lines, fixtures and appurtenances, for the operation of a telephone system, exchange and lines in the Village of Shelley, and defining its rights, powers and privileges.

Be it ordained by the Council of the Village of Shelley:

Section I. That Halstad Telephone Company, be and is hereby granted the right, power, authority and privilege to build, construct, equip, own, maintain and operate in the Village of Shelley, wires, lines, poles, arms, appurtenances and fixtures for conducting a telephone business and exchange. It is granted also the right, authority, power and privilege to use all streets, alleys and public grounds of the Village now owned or hereafter acquired, subject to such restrictions as may now or hereafter be imposed by law or by the Village Council of said Village, for the purpose of erecting and maintaining poles, constructing lines, operating telephone lines, a telephone system, telephone exchange or doing any of the things herein authorized, granted or empowered.

It is granted also the right to buy, purchase, lease, erect, equip, maintain, own or operate such plants, machinery, equipments or buildings as are necessary to maintain and operate such telephone lines, telephone system or exchange; the right to buy, hold or own or lease any and all real estate necessary to conduct such business; the right to furnish telephone service to the people, firms and corporations of the Village; the right to connect with other telephone lines within the Village; the right to own and conduct a rural telephone exchange; the right to do switching for any person, firm or corporation; the right to conduct a telephone toll business; the right to furnish telephone power and service to any person, firm or corporation; and such other and further rights as are usually granted to and enjoyed by telephone companies.

Section II. Said poles, wires, brackets, etc., shall be erected under the supervision of the Village Council and, whenever possible, shall be placed, erected and constructed in the alleys, and shall be so placed and constructed as not to interfere with the use of the streets or alleys; when poles placed or erected in paved streets, the Halstad Telephone Company, or its assigns, shall restore the paving at once to as good condition as before said work was done. All wires shall be mounted on insulators. The Village Council may, at any time, order such poles, wires, brackets, etc., or any of them removed from the said streets and alleys, at the expense of said persons, or may, if it see fit, order them removed from one place, and may then grant the privilege of constructing them in another. The

Halstad Telephone Company, or its assigns, shall hold the Village free and harmless from all damages, cost and expense that may arise by reason of the negligence, carelessness or misconduct of such company, or its agents, or employees, in erecting, maintaining or operating said plant, or because of the placing of the said poles, brackets, wires or other appurtenances used in connection with said plant. Such persons or their assigns are hereby authorized and empowered to trim at their own expense the trees extending into any street, alley or public ground, to prevent the limbs or branches from interfering with their wires.

Section III. The Halstad Telephone Company, or its assigns, shall within sixty days after the passage, approval and publication of this ordinance, file a written acceptance of this ordinance and contract with the Village Clerk of the Village of Shelby.

Section IV. This ordinance shall be in force and effect for the period of twenty-five years from and after its adoption.

Approved by the following vote:

Ayes:

Nayes:

Passed and approved by the Village Council this 2 day of March

1956.

Lester Larson
MAYOR

ATTEST:

H. J. Oien
VILLAGE CLERK.