

ORDINANCE NO. 407.

An ordinance granting to the Home Gas and Electric Company of Redlands, a corporation, its successors and assigns, the right for the period of fifty years, to erect and maintain poles, and to string wires thereon, under, through, and over the streets, avenues, alleys, and public places of said City, and to lay wires under ground in such streets, avenues, alleys, and public places, for the purpose of conducting, distributing, furnishing and supplying electricity for use for light, heat and power; also to construct and maintain in connection with such poles and wires, such appliances as may be necessary to the aforesaid purposes; and to lay in, under and through such streets, avenues, alleys and public places, gas pipes for the purpose of carrying, distributing, furnishing and supplying gas for use for light, heat and power; and to construct and maintain in connection with such pipes, such appliances as may be necessary or convenient in connection therewith.

The Board of Trustees of the City of Redlands do ordain as follows:

Section 1. That the right, privilege, and franchise is hereby granted to the Home Gas and Electric Company of Redlands, a corporation, its successors and assigns, for the term of fifty years to erect and maintain poles, and to string wires thereon, under, through, and over the streets, avenues, alleys, and public places of said City, and to lay wires under ground in such streets, avenues, alleys, and public places, for the purpose of conducting, distributing, furnishing and supplying electricity for use for light, heat and power.

the aforesaid purposes; and to lay in, under and through such streets, avenues, alleys and public places, gas pipes for the purpose of carrying, distributing, furnishing and supplying gas for use for light, heat and power; and to construct and maintain in connection with such pipes, such appliances as may be necessary or convenient in connection therewith.

That the said right, privilege and franchise is hereby granted and shall be at all times exercised and enjoyed subject to each and every of the terms and conditions of this ordinance.

Section 2. That the said work of construction shall be commenced in good faith within not more than four months from the date of the granting of said franchise, and shall be completed within not more than three years thereafter, and if said work is not so commenced or completed within the times aforesaid, said franchise shall be forfeited.

Section 3. The grantee of said franchise shall file a bond running to said City, with at least two good and sufficient sureties, to be approved by said Board in the penal sum of \$1000.00, and in manner and form as required by law, and if such bond be not so filed within five days after such franchise is awarded, the award of such franchise shall be set aside, and any money paid therefor, shall be forfeited.

Section 4. All poles erected under the provisions of this franchise and all wires strung thereupon and all excavations made in any of the streets, avenues, alleys or public places of said city, shall, each and all of them, be subject to all reasonable rules and regulations and ordinances that have been or may hereafter be adopted by the city.

rights of said Board of Trustees to adopt ordinances fixing or establishing the rate or rates to be charged for furnishing or supplying electricity for either light, heat or power purposes, or for the furnishing or supplying of gas for either light, heat or power purposes, as is now provided by law, it being the purpose of this provision to retain in said Board of Trustees the same powers, rights and privileges which it now has under the constitution of the State of California, the same as if this franchise were not granted or sold.

Section 5. That the said grantee, its successors and assigns shall, during the life of said franchise, pay to said City, two per cent of the gross annual receipts of the person, firm or corporation to whom the franchise is awarded arising from its use, operation, or possession.

No percentage shall be paid for the first five years succeeding the date of the franchise, but, thereafter, such percentage shall be payable annually, and in the event such payment is not made, said franchise shall be forfeited, provided that, if the franchise be a renewal of the right already in existence, the payment of the gross receipts shall begin at once.

Section 6. Any neglect, failure or refusal to comply with any of the conditions of said franchise shall thereupon immediately effect a forfeiture thereof, and said Board of Trustees may declare ^{such franchise} franchise forfeited, and the same shall thereupon be and remain null and void.

Section 7. This ordinance shall take effect from and after its passage.

I hereby certify that the foregoing ordinance was
passed by the Board of Trustees of the City of Redlands
on the 16th day of January, 1907, by the
following vote:

Ayes: Trustees Hargraves, Putnam, Veatch, Wardt-Swens.
Noes: None.

L. M. Clark

City Clerk of the City of
Redlands, State of California.