



**ORDINANCE NO. 18**

**AN ORDINANCE GRANTING A FRANCHISE TO THE ROCKY MOUNTAIN BELL TELEPHONE CO. AND PROVIDING FOR THE RIGHT OF THE VILLAGE OF REXBURG TO USE THE POLLS OF SAID CO. FOR THE PURPOSE OF ATTACHING THERETO THE VILLAGE FIRE ALARM AND POLICE WIRES; AND PROHIBITING ANY ELECTRIC LIGHT OR OTHER WIRES USED FOR CARRYING HEAVY CURRENTS OF ELECTRICITY TO CROSS OR APPROACH WITHIN FOUR FEET OF SAID TELEPHONE FIRE ALARM OR POLICE WIRES, AND MAKING IT A MISDEMEANOR FOR ANY PERSON (NOT HAVING THE RIGHT OR AUTHORITY TO DO SO) TO CUT, BREAK, REMOVE, DEFACE, DESTROY OR IN ANY MANNER INTERFERE WITH SAID POLES OR WIRES, OR ANY FIXTURES HERETO BELONGING, AND PROVIDING A PENALTY FOR THE VIOLATION OF THE SAME.**

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, IDAHO:

**SECTION I:** That there is hereby granted to the Rocky Mountain Bell Telephone Company, a corporation, its successors and assigns, the right to place and maintain poles and wires with the arms, braces and other fixtures necessary thereunto over and upon the streets, alleys and public ways of said Village, for the purpose of supplying to the public communication be telephone or other improved electrical device. Said poles, wires, arms and braces to be fixtures necessary thereunto over and upon the streets, alleys and public ways of said Village, for the purpose of supplying to the public communication by telephone or other improved electrical device. Said poles, wires, arms and braces to be fixed, placed and maintained subject to the approval of the Village Board.

**SECTION II:** In consideration whereof the said Rocky Mountain Bell Telephone Company shall agree to allow the said Village to attach at any time to any of said poles the Village Fire Alarm or Police wires; provided the same shall be placed and maintained so as not to interfere with said Company's use and under the direction of said Company's Manager in said Village business, free of charge, and with exchange service so long as an Exchange is maintained hereunder, one telephone at any place within the corporate limits of said Village, that the Village Board may hereafter designate.

**SECTION III:** No electric light or other wire used for carrying heavy currents of electricity, shall approach to, or cross the line of any telephone, police or fire alarm wire at a distance of less than four feet either above or below said telephone, police or fire alarm wire and shall be securely fastened on supports placed as near as practicable or said telephone, fire alarm or other wires. Whenever any such wire is maintained in violation of the provisions hereof, the owners or persons in charge of said wire shall remove same upon receiving written notice to do so; and in case they fail to do so, the same may be removed by order of the Village Marshall at their expense.

**SECTION IV:** Any person not having the right or authority to do so who shall interfere with; cut, remove break, deface or destroy, any telephone, police or fire alarm pole, wire, fixture, or instrument, within the corporate limits of said Village and any person without authority to do so who shall use said poles for the purpose of posting thereon bills or advertisements of any kind whatsoever, or who shall violate any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding on hundred dollars, and the costs of the prosecution for each offense.

**SECTION V:** The provisions of this ordinance shall be void unless an unconditional

acceptance thereof is placed on file in the office of the Village Clerk by said, Rocky Mountain Bell Telephone Company, within thirty days from the passage of this ordinance.

**SECTION VI:** The right hereby granted shall not be exclusive, but the Village Board reserves the power to grant to others a like right of way.

PASSED BY THE BOARD OF TRUSTEES AND APPROVED BY THE CHAIRMAN this 13<sup>th</sup> day of November, 1899.

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John L. Jacobs, Chairman

(SEAL)

ATTEST:

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A. L. Blackburn, City Clerk

STATE OF IDAHO)  
  )ss.  
County of Madison )

I, A. L. Blackburn, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

**AN ORDINANCE GRANTING A FRANCHISE TO THE ROCKY MOUNTAIN BELL TELEPHONE CO. AND PROVIDING FOR THE RIGHT OF THE VILLAGE OF REXBURG TO USE THE POLLS OF SAID CO. FOR THE PURPOSE OF ATTACHING THERETO THE VILLAGE FIRE ALARM AND POLICE WIRES; AND PROHIBITING ANY ELECTRIC LIGHT OR OTHER WIRES USED FOR CARRYING HEAVY CURRENTS OF ELECTRICITY TO CROSS OR APPROACH WITHIN FOUR FEET OF SAID TELEPHONE FIRE ALARM OR POLICE WIRES, AND MAKING IT A MISDEMEANOR FOR ANY PERSON (NOT HAVING THE RIGHT OR AUTHORITY TO DO SO) TO CUT, BREAK, REMOVE, DEFACE, DESTROY OR IN ANY MANNER INTERFERE WITH SAID POLES OR WIRES, OR ANY FIXTURES HERETO BELONGING, AND PROVIDING A PENALTY FOR THE VIOLATION OF THE SAME.**

PASSED BY THE BOARD OF TRUSTEES AND APPROVED BY THE CHAIRMAN this 13<sup>th</sup> day of November, 1899.

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A. L. Blackburn, City Clerk

(SEAL)