

Affidavit of Publication

Chas. C. Corbhill, being first duly sworn, deposes and says, That he is a citizen of the United States, over the age of eighteen years; that he is the publisher of

the Clark County Review, a weekly newspaper of general circulation printed and published at Las Vegas, Clark County, Nevada, and that the

Ordinance No. 34 of the City of Las Vegas, Nevada

of which the attached is a true and correct copy, was published in said paper one consecutive issues, on the following dates, to wit: October 14, 1919

CITY

Chas. C. Corbhill
Clerk

Subscribed and sworn to before me, this 19 day of October, 1919

FILE

ORDINANCE NO. 34

An Ordinance granting to Las Vegas Land & Water Company, its successors and assigns, a Franchise to Construct, Operate and Maintain Transmission Lines for Electric Light and Power Purposes and for Telephone and Telegraph Purposes in portions of the City of Las Vegas.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. A franchise, right and privilege is hereby given and granted by the Board of City Commissioners of the City of Las Vegas, County of Clark, State of Nevada, to Las Vegas Land & Water Company, a corporation organized and existing under the laws of the State of Nevada, its successors and assigns, to construct, install, operate, maintain, repair and manage transmission lines in, through, over, along and across each and all of those certain streets and alleys of the City of Las Vegas, in Clark County, State of Nevada, viz:

Beginning at a point in the westerly side of Main street at its intersection with Bridger street; thence easterly along Bridger street to the alley in Block 21 of said townsite; thence southerly along the alleys and across the intersecting streets to the northerly line of Garces street.

Also beginning at a point in the alley in Block 26 of said townsite at its intersection with the southerly line of Clark street; thence southerly along the alleys and across the intersecting streets to the northerly line of said Garces street.

Also beginning at a point in the alley of Block 39 of said townsite at its intersection with the southerly line of said Clark street; thence southerly along the alleys and across the intersecting streets to the northerly line of said Garces street.

Also beginning at a point in Bonneville street at its intersection with the alley in Block 24 of said townsite; thence easterly along said Bonneville street to an intersection with the alley in block 40 of said townsite, for the purpose of conducting electric energy for light and power purposes, and for telephone and telegraph purposes, together with connections, laterals and all necessary and proper appliances used in connection therewith that it may be necessary or desirable to install to furnish light and power and telephones for private, household, and other purposes, to residences, buildings or other structures that may be situated upon blocks 23, 24, 25, 26, 39, 40 and the westerly half of Block 22 of Clark's Las Vegas Townsite, City of Las Vegas, County of Clark, State of Nevada, and to the inhabitants and users thereof for all necessary and useful purposes.

Sec. 2. That for the purpose of maintaining said transmission lines and of extending the same from time to time as necessity may require, the said grantee is, and his successors and assigns are, hereby given and granted a right of way over and through the streets and alleys heretofore described in Section 1 of this franchise with the right to make the necessary excavations in the said streets and alleys in order to place their poles therein and to make all necessary repairs to said transmission lines or any part thereof.

Sec. 3. In consideration of the grant of franchise, right and privilege hereby granted, the said grantee, its successors and assigns agree:

(A) That all poles used for the purpose of said transmission lines shall not be less than 30 feet in height and the wires strung thereon shall not be less than 25 feet above the ground, and that said lines shall be installed with good material and in a workman-like manner and at all times kept in good repair, and all wires strung after the passage of this ordinance shall be, and shall at all times be kept, fully and properly insulated; and all wires now upon said poles shall be fully and properly insulated within one year after the passage of this ordinance.

(B) To make at its own expense any openings in lines necessary at any time to permit the moving of houses or other property along the public streets or alleys.

(C) Move at its own expense any pole or poles or other appurtenances that it may be necessary to move to best serve the interests of the public, when ordered to do so by said city.

(D) That said City of Las Vegas shall be saved harmless; and shall not be held liable for any damage to persons or property, caused in any manner by said transmission lines except as hereinafter provided.

Said City of Las Vegas shall have the right during the term of this franchise to install and maintain upon said transmission line, wire or wires and necessary appurtenances to operate fire and police alarm systems, provided, however, that said City shall hold said Las Vegas Land & Water Company harmless for accident or injury to persons or property that may be caused by such police or fire alarm systems, and any accident or injury to persons engaged in the installation, operation or maintenance of said alarm system.

Sec. 4. The rights and privileges herein granted shall continue in force and effect for the term of 25 years from and after the time this ordinance goes into effect.

Sec. 5. The grantee under this franchise will not furnish, charge or collect for electric current except to the inhabitants or structures situated on Blocks 23, 24, 25, 26, 39, 40 and the westerly half of block 22 of Clark's Las Vegas Townsite of said City of Las Vegas, except for public school purposes, and the maximum rates which may be charged and collected for furnishing electric current for lighting and power purposes to the inhabitants thereof, shall be as follows:

For electric current consumed up to,

but not in excess of twenty (20) Kilowatt hours during one month, twenty cents per kilowatt hour.

CURRENT IN EXCESS OF	AND	NOT IN EXCESS OF	
20 KWH		40 KWH	\$.19
40		50	.185
50		60	.18
60		70	.175
70		80	.17
80		90	.165
90		100	.16
100		110	.155
110		120	.15
120		130	.145
130		140	.14
140		150	.135
150		160	.13
160		170	.125
170		180	.12
180		190	.115
190		200	.11
Over 200			.10

However if the grantee so desires, it may charge a flat rate per month for electric current consumed, the maximum rates to be charged and collected to be as follows:

For dwellings of four rooms or less \$4.00 per month.

For dwellings in excess of four rooms \$1.00 per month per room.

Sec. 6. The grantee herein, its successors and assigns are further hereby authorized and empowered to establish and enforce among others the following rules and regulations pertaining to light and power system:

First. All bills for service shall be due and payable on the first day of each month for light or power furnished during the previous month and shall be delinquent on the 15th of each month.

Second. The grantee reserves the right to shut off light and power without notice for the purpose of making repairs or extension.

Third. Bills will be become delinquent on the 15th of each month and if not paid at the Company's office before the 15th, 25 cents will be added for delinquency and a collector will call at the premises and receive payment or leave formal notice, and if bill remains unpaid five days after date thereof the light and power will be shut off and will not be turned on again for the same occupant of the premises, except on payment of the full amount due and one dollar (\$1.00) added thereto for collection and turning on, and delinquency.

Fourth. The rate for any service not herein specifically enumerated, by the month or otherwise, shall be fixed by the grantee: Provided, however, that the City of Las Vegas shall have the power to regulate and change the rates from time to time as may seem just and proper, the same not to exceed the maximum rates provided herein, but no rate shall be changed by said City of Las Vegas for one year after the same has been fixed, and that notice of intention to change rates shall be given to the local agent of the grantee thirty days prior to the date set for the consideration of such changes, at which time the grantee may appear and have a hearing.

Fifth. In case of failure or non-compliance upon the part of the grantee to fulfill and carry out any and all of the provisions mentioned in this franchise, then and in that event, the same shall become null and void and of no effect, and shall work a forfeiture of all rights and privileges granted or intended to be granted.

Sixth. Subject to the provisions of this grant and to the foregoing schedule of rates and charges, the grantee herein its successors and assigns, may

make any and all reasonable rules and regulations covering the use of light and power transmission service and to prevent any waste thereof by consumers or any damage to its transmission lines or appurtenance during the life of this franchise, provided, however, that the City of Las Vegas shall have the power to change the rules and regulations from time to time as in their judgment may seem just and proper.

Seventh. It is further provided that whenever said Las Vegas Land & Water Company, its successors or assigns, wholly abandons the use and operation of said transmission lines for the purposes covered by this grant, or upon the forfeiture of this franchise, as provided herein, then the said grantee shall remove said lines, poles and appurtenances from the streets and alleys of said city within sixty days from the date that said company so abandons the use and operation of said lines, or within sixty days from the date of declaration of forfeiture, as the case may be.

Eighth. The franchise hereby granted supersedes the permit to construct and maintain a pole line along certain streets and alleys described in this franchise granted by the board of city commissioners of the said City of Las Vegas, on the 26th day of March, 1912.

Ninth. This ordinance shall be in force and effect from and after its passage and publication for the period of one week as required by law, and the filing with the city clerk of Las Vegas of an unconditional acceptance by the grantee of the conditions contained herein, provided same is filed within thirty days after the passage thereof. The cost of publishing this ordinance shall be paid by the grantee.

Passed by the Board of City Commissioners and approved this 2nd day of October, 1912, upon the following vote:

Commissioners Stewart, Coughlin, McGovern, Von Tobl and Mayor, Aye.

First Reading September 4th, 1912.
Second Reading October 2nd, 1912.

Approved: PETER BUOL, Mayor.

Attest: HARLEY A. HARMON, City Clerk. 019