

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

ORDINANCE NO. 22

An Ordinance Authorizing Consolidated Power & Telephone Company, a Corporation, its Successors or Assigns, to Construct, Operate and Maintain Gas Works in the City of Las Vegas, Clark County, State of Nevada.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DO ORDAIN AS FOLLOWS:

Sec. 1. That a franchise be and the same is hereby granted to Consolidated Power and Telephone Company, a corporation, and to its successors or assigns, to supply the said city of Las Vegas and its citizens and residents with gas for lighting and heating and for generation of power.

Sec. 2. That the said Consolidated Power and Telephone Company shall have the right to erect on the lots of the company at the corner of Main and Garces Streets of Clark's Las Vegas Town-site gas works for the manufacture of gas for lighting and heating and for generation of power, and operate the same.

Sec. 3. That it shall have the right to lay down mains and distributing pipes and supply pipes in all or any of the streets, alleys or public grounds of the said city as it may deem necessary or expedient, under the supervision of the proper authorities of the city of Las Vegas.

Sec. 4. The municipal authorities shall have the power to regulate and to change rates from time to time as it may seem just and proper, the same not to exceed the maximum rate of Two Dollars for each one thousand cubic feet of gas, and a minimum rate of one dollar for each calendar month, provided, however, that no rate shall be changed during a period of less than one year after being fixed (except as hereinafter provided for) and that notice of intention to change rates shall be given to the local agent of the Consolidated Power & Telephone Company thirty days prior to the date set for the consideration of such changes, at which time the said Consolidated Power & Telephone Company may appear and have a hearing. The grantee herein may apply at any time upon thirty days previous notice to the Board of City Commissioners of Las Vegas for a change in rates, and said board may upon such hearing change the rates.

The municipal authorities shall further have the power to make all necessary rules and regulations for the laying and maintaining of all gas pipes or apparatus, and to require that proper and efficient service is given to all consumers from whom gas rentals and charges are collected.

The municipal authorities shall have the power to change the rules and regulations from time to time as in their judgment may seem just and proper and all rules formulated by the Consolidated Power & Telephone Company shall be approved by the municipality before being put into effect.

The said Consolidated Power & Telephone Company shall have the right to charge, receive and collect, subject to the change and regulation of prices herein provided for, the sum of Two Dollars for each one thousand cubic feet of gas furnished or supplied by it, and a minimum rate of One Dollar for each calendar month.

Sec. 5. That said gas works shall be completed and lighted within one year from the date of the passage of this ordinance, and a failure to comply with this provision shall operate as a forfeiture of this franchise.

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

Ordinance No. 22, of the
City of Las Vegas

of which the attached is a true and correct copy, was published in said paper one consecutive issues on the following

dates, to wit: January 6th 1914

CITY

Chas. C. Corbhill

Subscribed and sworn to before me, this 22nd day of

January, A. D. 1914

Harley D. Harrison

Notary Public

Clark County

Sec. 6. The Board of Commissioners of the City of Las Vegas may from time to time, as said Board of Commissioners may elect, appoint some competent person or persons to make an examination as to the ~~correction~~ correction of meters in which gas is measured, and to report the result of the same to the said Board.

Sec. 7. That the said Consolidated Power & Telephone Company, its successors or assigns, shall commence the construction of said gas works within three months from and after the approval and passage of this ordinance.

Sec. 8. That in case of failure or non-compliance upon the part of said Consolidated Power & Telephone Company, its successors or assigns, to fulfill and carry out any and all of the stipulations mentioned in this ordinance and franchise, then the same shall be null and void and of no effect, and shall work as a forfeiture of all rights and privileges granted or intended to be granted hereby.

Sec. 9. That in case the the said Consolidated Power & Telephone Company, its successors or assigns, ~~discontinue, refuse or neglect to manufacture and supply gas to the~~ said City or its inhabitants at any time for and during the term of six months then this ordinance and franchise shall be null and void, and the City Commissioners may order the removal of pipes and lamp-posts, so laid or put up by the Consolidated Power & Telephone Company or its successors or assigns in any of the public streets, alleys, or public grounds of said City of Las Vegas, and may declare the same a public nuisance.

Sec. 10. Within sixty days after the passage of this ordinance the said Consolidated Power & Telephone Company, its successors or assigns shall file in the office of the City Clerk of the City of Las Vegas a plat of the mains proposed to be laid, showing proposed location and position thereof.

Sec. 11. No charge shall be made for tapping any main in excess of Five Dollars for each tap.

Sec. 12. That at the expiration of twenty-five years after the passage of this ordinance, and at the expiration of each succeeding five years thereafter, the said City shall have the right to purchase said works and system, provided it notify the said persons to whom this franchise is granted or their assigns, of its intention so to do at least one year before the expiration of said period or period of years. In order to establish the value of said gas works and system the persons to whom this franchise is granted, or their assigns, and the said City of Las Vegas shall appoint one person, and the two appointees shall choose a third, and the three persons thus chosen, who shall be practical gas men, shall constitute a board to determine the value of said works and system.

The said board in fixing the value of said works and system shall take into consideration the cost of erection and installation of said system and works the cost of erection or installation of a new system and works of like character, the earning capacity of said works and system, and all other facts and considerations legitimately connected with the said works and system. And for that purpose it shall have access to the books of the persons to whom this franchise is granted, or their assigns, to ascertain the facts above mentioned.

The City shall within sixty days after the said board has rendered its decision, pay the amount awarded, in cash; and upon such payment, said Consolidated Power & Telephone Company, its successors or assigns, shall transfer to said City of Las Vegas all their said rights and privileges and property included in said appraisalment.

Sec. 13. The privileges hereby granted to Consolidated Power & Telephone Company shall inure to the benefit of said Consolidated Power & Telephone Company, its successors or assigns, for the period of fifty years from and after the passage of this Ordinance.

Sec. 14. This Ordinance shall take effect and be in force from and after its passage and publication and acceptance, and the grantee herein shall pay the expense of publishing the same. Acceptance hereof by said Company shall be filed in writing with the City Clerk within thirty days from the date of passage of this Ordinance.

Passed and adopted as an emergency ordinance upon the consent of the entire Board of Commissioners first had and obtained, the vote on Ordinance being as follows:

Ayes: Commissioners McGovern, Von Tobel, Stewart, Caughlin, and Mayor Buol.

Passed December 9th, 1911.

Approved,

PETER BUOL,

Mayor.

Attest
HARLEY A. HARMON,
[SEAL]

City Clerk.