

Ordinance No. 1576Passed July 11 19 88ORDINANCE No. 1576

AN ORDINANCE GRANTING TO THE ORWELL TELEPHONE COMPANY, OF LEIPSIC, OHIO, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ERECT, OPERATE AND MAINTAIN A PUBLIC TELEPHONE SYSTEM WITHIN AND THROUGH THE VILLAGE OF LEIPSIC, WITH THE RIGHT TO ERECT ALL NECESSARY POLES AND STRING ALL NECESSARY WIRES AND CABLES AND OTHER TELEPHONIC EQUIPMENT WITHIN THE STREETS AND ALLEYS OF SAID VILLAGE.

BE IT ORDAINED, by the Council of the Village of Leipsic, Putnam County, Ohio:

SECTION 1. That there is hereby granted to The Orwell Telephone Company of the Village of Leipsic, Putnam County, Ohio, its successors and assigns, the franchise, right and privilege to erect, operate and maintain the necessary poles and wires, conduits, cables and all other necessary telephonic equipment required to provide an adequate public telephonic system upon the streets and alleys of the Village of Leipsic, Putnam County, Ohio, for a period of Twenty-Five (25) years from and after the 11th day of July 1988.

SECTION 2. That the said The Orwell Telephone Company of Leipsic, Putnam County, Ohio, its successors and assigns, is hereby granted the right and privilege to use the streets and alleys of said Village of Leipsic, Putnam County, Ohio, for the purpose of erecting, operating and maintaining public telephone lines within and through the corporation of said Village during all of the time for which this franchise is granted; but such grant shall in no way interfere with the legal use of said public streets and alleys, or any pre-existing franchise heretofore granted for any other purpose. All poles and other telephonic equipment is to be erected within the limits of the alleys or side streets except in the proper erection of said poles and lines and other telephonic equipment it is found necessary for public safety to set poles otherwise in crossing streets and alleys. However, no poles or wires shall be erected or strung on Defiance Street (now Main Street) between Chestnut Street and the Detroit, Toledo & Ironton Railroad right-of-way except in crossing said Defiance Street (now Main Street) between said points with lines maintained on intersecting streets and alleys.

All poles shall be of a proper size and strength necessary to carry the load required, and of such material as is recognized as standard telephone construction and of a height that will insure the proper clearance for any persons lawfully using said public streets and alleys, and to comply with all State Laws as to construction. Said Company is to keep all telephonic construction equipment in a safe condition so as not to endanger any persons in the lawful use of said streets and highways.

SECTION 3. A total failure by said Company or its successors and assigns to operate said telephone lines and system for a period of six (6) months shall act as a forfeiture of all the rights herein granted, and this Ordinance shall then and there become null and void without any demand or notice from said Village, and all rights and privileges herein granted shall cease.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED July 11, 1988

ATTEST:

Clerk-Treasurer

President of Council

APPROVED:

Mayor

This is to certify that the foregoing Ordinance or Resolution was posted in five public places as determined by Council for a period of not less than 15 days prior to taking effect as provided by ORC Section 731.25.

Posted 7-12-88 Removed 7-28-88

Clerk-Treasurer