

Borough of Berrysburg

Dauphin County, Pennsylvania

ORDINANCE NO. 8

GRANTING F. S. KIRK, BY HIM TO BE ASSIGNED TO A COMPANY, WHICH IS TO BE INCORPORATED FOR THE PURPOSE OF SERVING LIGHT HEAT AND POWER, BY ELECTRICITY, TO THE CITIZENS, PARTNERSHIPS OR CORPORATIONS WITHIN THE BOROUGH OF BERRYSBURG, DAUPHIN COUNTY, PENNSYLVANIA, AND TERRITORY ADJACENT THERETO, THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN POLES, WIRES, CABLES AND FIXTURES, WITH THE NECESSARY CONDUITS AND SUPPORTS, UPON, OVER, ALONG AND UNDER STREETS, HIGHWAYS, FOOTWALKS, LANES, AND ALLEYS OF THE BOROUGH OF BERRYSBURG, DAUPHIN COUNTY, PENNSYLVANIA FOR THE PURPOSE OF FURNISHING ELECTRIC LIGHTS, HEAT AND POWER FOR DOMESTIC, COMERICAL AND INDUSTRIAL PURPOSES.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE BOROUGH OF BERRYSBURG, COUNTY OF DAUPHIN, STATE OF PENNSYLVANIA.

SECTION 1. That permission and authority be and are hereby granted to F. S. Kirk and assigns for the purpose of furnishing electric light, heat and power for domestic, commercial and industrial purposes within the Borough to construct, operate and maintain the necessary poles, wires, cables, conduits and fixtures, together with the necessary supports, upon, over, along, under the streets, highways, footwalks, lanes and alleys of said Borough as the same may be necessary for the purpose of constructing, operating and maintaining its electric lines through the Borough and to the places of business, works, manufacturing establishments, offices, buildings and houses of consumers and users of electric current within the Borough or adjacent thereto, subject to the conditions and regulations hereafter contains.

SECTION 2. That the said F. S. Kirk and assigns shall replace the streets, highways, footwalks, lanes and alleys of said Borough upon which it may place any of its poles, conduits, lines or fixtures as foresaid in as good condition as they were before the same were erected or placed thereon; and wherever practicable said poles, conduits, lines and fixtures shall be placed on alleys and the location thereof shall be made under the direction and supervision of the street Committee of the Town Council.

SECTION 3. That all poles erected under the provisions of this ordinance shall be reasonably straight and not less than twenty five feet long and that no cross arms or suspension shall be placed at a less distance than twenty feet from the grade of the street, unless by permission of the Town Council.

SECTION 4. That the said Borough shall have the privilege, free of charge to attach and erect upon said poles. Wires for fire and police purposes within the Borough.

Copy 4/11/07

SECTION 5. That the F. S. Kirk and assigns shall be liable for all damages by reason of erecting, operating and maintaining its plant and facilities in said Borough of Berrysburg.

SECTION 6. That the said F. S. Kirk and assigns shall be governed by all legal Ordinances of a general nature now in force or that may be here after be enacted by the Borough.

SECTION 7. That the said F. S. Kirk and assigns shall within thirty days after passage and approval of this Ordinance, file with the Secretary of Council, its written acceptance of all the terms, conditions and provisions of this Ordinance and shall pay the expenses incident to its passage Publication and Approval by the Public Service Commission of Pennsylvania.

SECTION 8. That the maximum schedule of rates for service of electric currents within the Borough of Berrysburg, charged by said F. S. Kirk and assigns shall in no event exceed those for similar purposes charged by Middleburg Light, Heat and Power Company, in the Borough of Herndon, Northumberland County, Pennsylvania.

SECTION 9. That it is hereby understood and agreed that it is not the purpose or intent nor is the obligation of this Ordinance, if and when approved by the Public Service Commission of the Commonwealth of Pennsylvania, such as to impair or in any wise affect the exercise by said Commission of any of the power vested in it by the Public Service Company Law, Approved July 26th 1913.

SECTION 10. That any Ordinance or part of Ordinance conflicting with the provision of this Ordinance be and same is here by repealed.

Ordained and enacted into law this 4th day of December 1923.

ATTEST:

H. E. Snyder
President of Council

P. F. Deibler
Secretary of Council

C. T. Kebaugh
Burgess