

AN ORDINANCE

ORDINANCE NO. 18-2

Granting a municipal franchise to F. Q. Hartman (of Danville, Pennsylvania) trading under the firm name of Penn's Creek Hydro Electric Company, to erect and maintain poles, wires and other equipment in the Borough of New Berlin, Union County, Pennsylvania.

Whereas, it is proposed to incorporate a company known as the Penn's Creek Hydro Electric Company for the purpose of supplying light, heat and power to the public in the Borough of New Berlin, Pennsylvania and vicinity by means of electricity, or power direct; and whereas; the proposed incorporator (F. Q. Hartman) has made application for municipal consent in the said Borough of New Berlin for the said Penn's Creek Hydro Electric Company, Therefore,

Section 1. Be it enacted and ordained by the Town Council of the Borough of New Berlin, Pennsylvania, in Town Council assembled and it is hereby enacted and ordained by the authority of the same, that municipal consent be and the same is hereby given and granted by the Borough of New Berlin aforesaid to the Penn's Creek Hydro Electric Company, its successors and assigns, in perpetuity, to erect, construct, maintain and repair with the right to operate the necessary poles, wires and other equipment and apparatus incident to the construction and maintenance of an electric light line, through, over and upon the several streets, lanes and alleys of the said Borough of New Berlin for the purpose of distributing and supplying light, heat and power to the public and inhabitants of the said Borough of New Berlin, Pennsylvania and vicinity, provided however, that nothing herein contained shall be taken or construed to in any manner to interfere with or abridge the legal rights of the inhabitants of the said borough.

Section 2. That the said poles shall be placed at such places in or outside the curb lines as the council of the said Borough through its committees shall direct and approve.

Section 3. That the Borough of New Berlin, Pennsylvania, shall not assess or collect any tax of any kind on any of the buildings, poles or other apparatus of said company for the period of ten years from the acceptance of this ordinance by the said Penn's Creek Hydro Electric Company, except as it now stands on land used by F. Q. Hartman trading under the firm of said company.

Section 4. That it is understood the said company will establish an electric equipment to be driven by water power and furnish power and electric service in said borough and adjacent thereto to the extent of the current that can be generated under the varying power beyond its control, the said company to have the first right to the use of current that may be necessary to operate its several manufacturing industries - New Berlin Milling Company and Yamada Spinning Mill..

Section 5. That the said Penn's Creek Hydro Electric Company shall begin the construction of the said lines within a period of sixty days after the approval of this ordinance by the Burgess of said Borough, otherwise the same to be null and void.

Section 6. That the Chief Burgess and Town Council of the Borough of New Berlin, Pennsylvania, are hereby authorized to enter into an agreement with said company, its successors and assigns, for the lighting of the streets and alleys of the said borough.

Section 7. That when the said borough of New Berlin, Pennsylvania, through its Town Council, shall decide to enter into an agreement with the said company, its successors and assigns, for the lighting of the streets and alleys of the said borough, it is understood and agreed that the cost of the same to the said

borough shall not exceed the cost that any sister town is paying for such service to the said company or any other company.

Section 8. Nothing herein contained is intended nor shall be construed so as to render this franchise exclusive.

Section 9. Any and all ordinances inconsistent with this ordinance be and the same are hereby repealed.

Ordained and enacted into an ordinance this 17th day of October, A. D. 1918.

(Signed) E. E. Solomon
President

Attest:

(Signed) L. A. Snook
Clerk

(BOROUGH SEAL)

Approved as an Ordinance this 17th day of October, A. D. 1918.

(Signed) Cyrus A. Eaton
Burgess

(BOROUGH SEAL)