

RECORD OF ORDINANCES.

Ordinance No. 58

An Ordinance Fixing the price which the Dayton Power and Light Company its successors and assigns may charge for electrical energy furnished for municipal pumping purposes in the Village of Centerville, for a period of five years commencing with the effective date of this Ordinance and determining the manner in which said electricity may be furnished, provided and Paid for.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, STATE OF OHIO:

Section 1. That for a period of five years from the effective date of this ordinance, the electrical energy furnished for water pumping purposes shall be supplied by The Dayton Power and Light Company and said energy shall be supplied by means of (3) three phase, alternating current at approximately 230 volts and at a frequency of sixty (60) cycles per second.

Section 2. The energy so supplied shall be used for the purpose of pumping water in said Village at the site of the wells located on the water works property of said Village.

Section 3. The point of delivery shall be at the service entrance and measurement of the alternating current supplied under the terms of this ordinance shall be made at the meter-board in the pump house located near the Quarry approx. $\frac{1}{2}$ mile East of Corporation Line. The Dayton Power and Light Company shall supply the necessary transformers and meters necessary to supply electric current to said pump house. The Company shall extend the service wires to a point mutually agreed upon the outside of the pump house and the Village shall provide all of the secondary wiring and other electrical equipment from this point.

Section 4. All electric service supplied under the terms of this ordinance shall be at the rates and in accordance with the Power Companys Power Schedule "B" (which is and are hereby approved) as filed with the Public Utility Commission of Ohio, for general power service in what is known as the Dayton District. A copy of said Power Schedule is on file in the office of the Village Clerk and to which reference is hereby made. However, in the event that the total net bill as computed under said schedule exceeds a rate of three cents net per kilowatt-hour

Section 5. The meter registering the use of electrical energy for which bills are to be rendered, shall be read as nearly as possible on the same day of each month and the said Village agrees to pay said bills for electrical energy as they are rendered.

Section 6. All responsibility of the Power Company in regard to the current supply shall cease after the same has been delivered to the pump house in accordance with the provisions of this ordinance and the Village agrees to indemnify and hold harmless the Power Company for all loss, damage or expense growing out of or in any way connected with the claims of any third person or persons, excepting employees of the Power Company in performance of their duties for injuries to person or property occasioned by said current at and after its delivery to the Village pump house as aforesaid and the Village further agrees to defend at its own expense any suits based upon such claims.

Section 7. The Power Company shall indemnify and hold harmless the Village for all loss, damage or expense for injury to person or property except as hereinafter provided, occasioned by the current up to the point of delivery of said electrical energy to the Village Pump House, as hereinbefore provided, and the Power Company shall defend at its own expense any suits based upon such claims, except and provided that the Power Company shall not be liable or responsible and shall not hold the Village harmless from any damage or damages to any employee or employees of the Village who may go upon any structure, pole, tower or appurtenance to the Power Company or attempt to do anything to any line, appliance or apparatus of the Company.

Section 8. Upon the Dayton Power and Light Company filing its written acceptance of the Ordinance with the Clerk of said Village, within sixty days from the taking effect thereof, this ordinance shall be and constitute a contract between the said village and Company, its successors and assigns to furnish electric energy for pumping water in the Village of Centerville, for five (5) years from the effective date of the Ordinance.

Section 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS 7 DAY OF JULY 1937

C. F. Zimmerman CLERK L. E. Bradford MAYOR