

RECORD OF ORDINANCES.

Ordinance No. 47 A

AN ORDINANCE FIXING THE PRICE WHICH THE DAYTON POWER AND LIGHT COMPANY MAY CHARGE FOR ELECTRIC LIGHT FURNISHED TO THE PUBLIC GROUNDS, STREETS, LANES, ALLEYS AND AVENUES IN THE VILLAGE OF CENTERVILLE; FOR A PERIOD OF TEN (10) YEARS, COMMENCING ON THE FIRST DAY OF AUGUST, 1927, AND DETERMINING THE MANNER IN WHICH SAID LIGHTING MAY BE FURNISHED, PROVIDED AND PAID FOR.

Whereas, there is on file with the Clerk of said Village, complete plans and specifications for the lighting of the streets and public places of the Village with electricity, which plans and specifications provide for different type and rating of lights in different locations according to the local requirements, the lights being designated by candle power and classified as hereinafter set forth.

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

Section 1. That for a period of ten (10) years from the 1st day of August, 1927, the price which may be charged by The Dayton Power and Light Company for electric light furnished to the Village of Centerville to light the streets, lanes, alleys, avenues and public places thereof in the manner and by the means set forth in the plans and specifications therefor on file with the Clerk of said Village, and as provided in this ordinance, shall be as follows:

For electric light supplied by each 100 C. P. lamp, \$36.00 per year and said Company shall, at its own expense, furnish said lamps and equipment and material necessary for said lighting and erect and maintain same and shall supply said lamps with the necessary electric current, and the Company is to be paid by said Village for said lighting in twelve (12) equal monthly installments, on or before the tenth day of each calendar month, subject, however, to the deductions provided for in said specifications for outages, and the Company agrees that any additional lamps of the character aforesaid for the street lighting ordered by said Council shall be erected and operated by it, at the same price per lamp as that above named, the same to be paid by said Village in the same manner and installments and at the times herebefore provided for said payments.

Section 2. That the minimum number of lamps of the various candle power to be used for the lighting of said streets, lanes, alleys, avenues and public places furnished, shall be as follows:

10 - 100 C. P. Lamps

Said lamps to be located as shall be directed by the Lighting Committee of the Council of said Village.

Section 3. That said electric light shall be furnished by means of serial construction only.

Section 4. That said lighting shall be according to what is known as the "ALL NIGHT AND EVERY NIGHT SCHEDULE": that is, the lamps shall be illuminated every night from one-half hour after sunset of one day to one-half hour before sunrise of the next day in accordance with which schedule each lamp shall be illuminated for approximately 3940 hours per year.

Section 5. That the location of every lamp shall be approved by the light committee of the council of said Village, before the lamp is erected, and after a lamp has been erected, in accordance with such approval, the Company, upon a written order from the Council, shall remove it to another location, the cost of such removal and re-location to be paid by the Village.

Section 6. That the Company shall use all diligence and care necessary to keep all the lamps clean and burning during the hours called for in this ordinance, and shall agree that if any light or lights go out, the lamp shall be repaired the same night, if possible, and in that event no deduction for outage will be made; however, if any lamp or lamps are found to be still out on the second night, then the Village will make a deduction equal to two nights for each lamp not burning on the second night, and a deduction for each additional night that any lamp is not burning, and these deductions shall be at the same ratio per night as the total monthly price bears to the time the lamp or lamps have been found to be out. The Village, thru its Marshal shall promptly report to the office of the Company all lamps discovered not burning.

Section 7. Whenever any tree or trees upon any sidewalk of any street, lane, alley, or avenue shall seriously interfere with the distribution of light from any lamp or group of lamps, of which the Council of the Village shall be the Judge, the Village will trim or cause to be trimmed any such tree or trees in such manner that such interference with the distribution of light will be removed.

Section 8. That when it is necessary to erect or replace any pole or poles, pole line or lines upon any streets, lane, alley, avenue or public places to supply service provided for by this ordinance, the location of such pole or poles, pole line or lines, shall be arranged so as not to incommode the public in the use of said streets, lanes, alleys, avenues, or public places.

Section 9. That upon acceptance of the Dayton Power and Light Company of this ordinance with all the terms, provisions and conditions hereof, and of the detailed specifications for such lighting on file with the Clerk of said Village, such Company shall, until the expiration of the ten years from the 1st day of August, 1927, be bound to furnish such service as is required under this ordinance at the prices and upon the terms and conditions herein set forth, and said Company shall be permitted to render such service until August 1, 1927, so long as said Company shall comply with the terms of this ordinance, and said plans and specifications, but upon the failure of said Company to comply with this ordinance said plans and specifications, the Village may provide other means of lighting its streets, at its option.

Section 10. Upon The Dayton Power and Light Company filing its written acceptance of this ordinance with the Clerk of said Village within sixty (60) days from the taking effect hereof, this ordinance shall be and constitute a contract between said Village and Company to light the streets, lanes, alleys, avenues and public grounds, in accordance herewith for ten (10) years from the 1st day of Aug. 1927.

Section 11. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS DAY OF 1927 11th.

C. J. Zimmerman CLERK

Charles Haines MAYOR