

AN ORDINANCE GRANTING TO the Stayton Cooperative Telephone Co., an Oregon Corporation, its successors and assigns, a franchise to erect and maintain a telephone system and to exercise the privilege of operating a telephone communication system and exchange within the City of Stayton, State of Oregon, the term thereof, the mode of acceptance of said grant by said company, manner of assignment by said company of its rights thereunder, and to repeal conflicting ordinance and declaring an emergency.

THE CITY OF STAYTON DOES ORDAIN AS FOLLOWS:

Section 1 There hereby is granted by the City of Stayton, State of Oregon, to the Stayton Cooperative Telephone Co., an Oregon Corporation, its successors and assigns, hereinafter called the "grantee", the right and privilege to construct, maintain and operate upon and along any and all of the streets, alleys and/or public highways within said City, poles, wires, transformers, and other equipment and fixtures thereon or thereunto attached for a telephone communication system and to sell to persons using said system the service to be made available.

Section 2. Whenever it becomes necessary to temporarily rearrange, remove, lower or raise poles, wire or other equipment or apparatus of the grantee to permit the passage of any building, machinery or other objects, said grantee will perform such rearrangement within seven days from the receipt of written notice from the person, firm or corporation desiring to move said building, machinery or other objects. Said notice shall detail the route of movement of the building, machinery or other objects; shall provide that the cost incurred by the grantee in making such temporary rearrangement of its aerial plant shall be borne by the persons, firm or corporation giving such notice; and shall bear the approval of the City Council, or such other official of the City of Stayton as may be designated by said City Council for said purpose; provided, that whenever said City shall give notice of its desire to move any building, machinery or other objects, either in its governmental or proprietary capacity, such temporary rearrangement of the aerial plant of the grantee shall be made by said grantee without cost to said city.

Section 3. In consideration of the rights privileges and franchises hereby granted said grantee shall furnish to said City and its inhabitants telephone service during twenty-four (24) hours of each day, sufficient and adequate for needs of said City and its inhabitants, subject, however, to unavoidable interruptions, strikes and breakdowns of plant and equipment.

Section 4. The rights, privileges and franchises herein granted shall continue and be in force for and during the period of fifteen (15) years from and after the date this ordinance shall take effect.

Section 5. This ordinance, after passage by the Council, shall take effect and be in force from the date of approval by the Mayor, and said grantee shall, within thirty (30) days from the date this ordinance shall take effect, file with the Recorder of the City of Stayton its written acceptance of all of the terms and conditions thereof.

No assignment of the rights of the grantee in and to this franchise shall be effective unless the assignee thereof shall, within sixty (60) days after such assignment, file notice thereof in writing with the Recorder of the City of Stayton setting forth the date of assignment and the name of the assignee thereof, and unless the Common Council shall approve said assignment.

Section 6. Attached as a supplement to this ordinance is a list of telephone services being provided to the city of Stayton by the Stayton Co-op. Telephone Co. as of June 1, 1970. This service, or an equivalent amount of other telephone service, shall be provided without charge to the City of Stayton as a franchise fee. Additional services with monthly rates of \$2.00 may be added to this list of services for each year of the 15-year duration of this franchise. The basis for figuring the equivalent value of substituted service, or the monthly rates for additional services, shall be the tariff of the Stayton Co-op Telephone Co. as filed with the Public Utilities Commissioner of Oregon. Additional services requested by the City of Stayton, in excess of those on the attached list plus the allowed \$2.00 yearly addition, shall be billed to the City of Stayton at the telephone company's regular tariff rates.

Section 7. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Stayton, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect when signed by the Mayor.

Section 8. Ordinance No. 287, passed by the Council and approved by the Mayor on June 6, 1955, is hereby repealed.

Passed by the Council this 15th day of June, 1970.

Approved by the Mayor this 15th day of June, 1970.

M. VanDriessche
Mayor of the City of Stayton, Oregon

ATTEST:

John J. Schroeder
Recorder of the City of Stayton, Oregon

SUPPLEMENT TO ORDINANCE NO. 393

LIST OF COMMUNICATION SERVICES BEING FURNISHED TO THE CITY OF STAYTON AS A FRANCISE FEE BY THE STAYTON CO-OP. TELEPHONE COMPANY ON JUNE 1, 1970:

Radio Circuit from City Hall to M. Tucker residence.
Off-premises extension of Police Dept. number at M. Tucker residence at 708 W. High St. Stayton, Oregon

- 1-Party business services at Fire Hall
- 2 extensions telephones in Fire Hall
- Siren control circuit at Wilco Farmers
- Siren control circuit at Fire Hall
- Fire phones, off-premises extensions at:
 - Fire Hall
 - Geraths Union Service
 - Wayne Lierman Residence
 - Dwight Shelton Residence
 - Joe Hetterschied Residence
 - Josephine Brand Residence

Key System Service at City Hall:

- 1-party business telephone, City Hall, 769-2075
- 1-party business, Police Dept. 769-5561
- 4 key telephones on two lines (s extensions)
- 9 Private line terminations after first termination

Pickup features:

- Stations arranged to pick up one or more lines, 12 lines picked up.
- Stations arranged for holds, 8 holds.
- One intercommunication line.
- One bell common to all incoming calls.
- Stations arranged to be signaled by other stations, 4 buzzers.
- Stations equipped with dial signaling to other stations, 4 stations.
- Line and busy lamps, each appearance, each station, 12 appearances.
- Lamp wink, each station, 4 stations.
- One power failure key.

GUS KIRSCH, *President*
Stayton, Oregon

GEO. HARTELOO, *Secretary-Treasurer*
Stayton, Oregon

Stayton Cooperative Telephone Company

503-769-2121

Stayton, Oregon

97383

BOARD OF DIRECTORS:

Irvin Parberry, *Vice-President*
Edw. J. Bell
Haskel Huntley
Leo Odenthal
Robert Schumacher
Ray Killin

June 19, 1970

Mr. John Schroeder, City Recorder
City of Stayton
City Hall, Stayton, Oregon

Dear Mr. Schroeder:

In accordance with Section 5, Ordinance No. 393, passed by the City Council of the City of Stayton on June 15, 1970, all of the terms and conditions of said Ordinance No. 393 are hereby accepted.

Yours very truly,

STAYTON COOPERATIVE TELEPHONE CO.

By:

Geo. Harteloo
Geo. Harteloo

Secretary-Treasurer-Manager