

ORDINANCE NO. 40

An Ordinance increasing the franchise fees to be paid by the Portland General Electric Company and amending subsection (b) of section 10 of an ordinance numbered 37 of the City of Dundee passed by the Council May 5, 1941, approved by the Mayor May 6, 1941, entitled:

"An ORDINANCE granting to the Portland General Electric Company, an Oregon corporation, its successors and assigns, for a period of ten years from and after the effective date of this ordinance, the right and privilege to erect, construct, maintain and operate within the corporate limits of Dundee, Oregon, as such limits now exist or may be hereafter constituted, an electric light and power system with the right and privilege to erect, maintain and operate poles, wires, fixtures and equipment necessary to supply the said city and inhabitants thereof, and others, with electric energy for light, power and other purposes, upon, over, along and across the streets, roads, alleys, and other public ways and places within the corporate limits of the said City of Dundee, fixing the terms and conditions thereof,"

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DUNDEE:

Section 1. That subsection (b) of Section 10 of Ordinance No. 37 of the City of Dundee, passed by the Common Council May 5, 1941, approved by the Mayor May 6, 1941, and entitled:

"An ORDINANCE granting to the Portland General Electric Company, an Oregon corporation, its successors and assigns, for a period of ten years from and after the effective date of this ordinance, the right and privilege to erect, construct, maintain and operate within the corporate limits of Dundee, Oregon, as such limits now exist or may be hereafter constituted, an electric light and power system with the right and privilege to erect, maintain and operate poles, wires, fixtures and equipment necessary to supply the said City and inhabitants thereof, and others, with electric energy for light, power and other purposes, upon, over, along and across the streets, roads, alleys, and other public ways and places within the corporate limits of the said City of Dundee, fixing the terms and conditions thereof,"

be and the same is hereby amended to read as follows:

"(b) That in consideration of the rights and privileges herein granted, and as compensation for the franchise, the said Portland General Electric Company shall pay to the City of Dundee, on or before the 15th day of January of each and every year during the term of this franchise the sum of One Hundred Seventy (\$170.00) Dollars. In consideration of the agreement of the company to make such payments, the city agrees that no special license, tax or charge on the business, occupation or franchise of the said Portland General Electric Company, shall, during the term of this ordinance, be imposed upon, exacted from or required of the said Portland General Electric Company, but this provision shall not exempt the property of the said Portland General Electric Company from lawful taxation, or exempt said company from an occupational tax, if such tax is generally levied in said city. Each of the annual payments of money required by this section shall be made by said Portland General Electric Company to the Treasurer of the City of Dundee, and the said Treasurer shall issue his receipt therefor, which shall be full acquittance of said Portland General Electric Company for such payments. Should said Portland General Electric Company fail or neglect for thirty (30) days after the same shall become due and payable and after written notice from the City of Dundee to pay any of said annual payments provided for in this section, the City of Dundee, by its properly constituted authorities, may at its option, either continue this franchise in force and proceed by suit or action to collect said payment, or declare a forfeiture of this franchise because of the failure to make such payment, but without waiving its right to collect earned franchise payments."

PASSED by the council this 9th day of Sept, 1946

APPROVED by the Mayor this 9th day of Sept., 1946

Earl Namitz  
MAYOR OF THE CITY OF DUNDEE, OREGON

ATTEST:

Leona Hopper  
Recorder of the City of Dundee, Oregon

\_\_\_\_\_, Oregon. Date \_\_\_\_\_

This is to certify that this is a true and correct copy of Ordinance No. \_\_\_\_\_, which was regularly passed by the City Council of \_\_\_\_\_ at their regular meeting held \_\_\_\_\_, 1946.

Signed \_\_\_\_\_  
City Recorder.