ORDINANCE NO. 105.

ORDINANCE GRANTING TO PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION, ITS SUCCESSORS AND ASSIGNS THE RIGHT, PRIVILEGES AND FRANCHISE OF LAYING, MAINTAINING AND USING, FOR THE PURPOSE OF CONVEYING, DISTRIBUTING AND SUPPLYING GAS TO THE PUBLIC AND PARTICULARLY TO THE INHABITANTS OF THE COUNTY OF SOLANO FOR LIGHT, HEAT, POWER AND ALL LAWFUL PURPOSES, GAS PIPES, MAINS AND CONDUITS IN SO MANY AND IN SUCH PARTS OF THE PUBLIC HIGHWAYS, STREETS AND ALLEYS IN SAID COUNTY OF SOLANO AS THE GRANTEE MAY ELECT TO USE FOR THE PURPOSE AFORESAID.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO DO ORDAIN AS FOLLOWS:

Section 1. The right, privilege, and franchise of laying, maintaining and using for the purpose of conveying, distributing and supplying gas to the public and particularly to the inhabitants of said County of Solano, for light, heat, power and all lawful purposes, gas pipes, mains and conduits in so many and in such parts of the public highways, streets and alleys in said County of Solano as the grantee may elect to use for the purpose aforesaid are hereby granted by the County of Solano, for the term of fifty (50) years, from and after the time when this ordinance shall take effect to Pacific Gas and Electric Company, a California corporation, its successors and assigns.

Section 2. All gas pipes, mains and other conduits which shall be laid and used under and pursuant to the provisions of this ordinance and in the exercise of the right, privilege and franchise herein granted shall be of iron, or other suitable material, and shall be of such dimensions as the owner for the time being of said right privilege and franchise shall determine. All such gas pipes, mains and conduits shall be laid in a good and workmanlike manner, and at least eighteen (18) inches below the surface of the said highways, streets and alleys under the direction of the Road Commissioner of the District in which such highways, streets and alleys are.

Section 3. The owner for the time being of the said right, privilege and franchise shall immediately upon laying, replacing or repairing the said gas pipes, mains and other conduits, or any part thereof, at its own cost and expense, place said highways, streets and alleys, or so much thereof as may have been damaged thereby, in as good order and condition as that in which they were before being disturbed or excavated for the purpose of laying, replacing, or repairing said pipes and other conduits.
Section 4. The owner for the time being of said right, privilege and franchise shall have the right, to maintain, repair and replace any or all of such gas pipes, mains and other conduits from time to time as may be necessary and proper.

Section 5. The grantee of the aforesaid right, privilege and franchise, its successors and assigns, shall, during the term for which the same is granted, pay to the said County of Solano, two (2) per cent, of its or their gross annual receipts arising from the use, operation, or possession thereof, which gross receipts shall be deemed to be all sums received by said grantee, its successors and assigns, from the sales of gas sold and delivered by means of the gas pipes, mains and conduits laid hereunder in said County of Solano outside of municipalities, provided, however, that no percentage shall be paid for the first five (5) years succeeding the date of the grant of said right, privilege and franchise, but thereafter such percentage shall be payable annually, and if such payment shall not be made, such right, privilege and franchise shall be forfeited.

Section 6. The said right, privilege and franchise are granted under and pursuant to the provisions of the laws of the State of California, which relate to the granting of rights, privileges and franchises by counties.

Section 7. This ordinance shall, except as hereinafter otherwise provided, take effect and be in force upon the expiration of thirty (30) days after its passage, and shall, before the expiration of fifteen (15) days after its passage, be published, with the names of the members of said Board of Supervisors voting for and against the same, for one (1) week in Vallejo Evening Chronicle, a newspaper published in said County of Solano, and if, during said thirty (30) days, a petition signed by qualified electors of said County equal to ten (10) per cent, of the entire vote cast therein for all candidates for governor of the State at the last preceding general election at which a governor was voted for, protesting against the passage of this ordinance, be presented to said Board, the same shall thereupon be suspended from going into operation, and it shall be the duty of said Board to reconsider this ordinance. If said Board shall thereupon not entirely repeal said ordinance, it shall submit the same to a vote of the electors either at a general election or a special election to be called for the purpose, and this ordinance shall not go into effect or become operative, unless a majority of the voters voting upon the same shall vote in favor thereof.

Passed this 5th day of May, 1924, by the following vote:

Ayes- Supervisors Mayfield, Thornton, Fleming.

Nays- None.

Absent- Supervisors McCormack, Schmeiser.