ORDINANCE NO. 107.

Ordinance granting to the City of Vallejo, a municipal corporation of the State of California, the permit, privilege and franchise of laying and maintaining and using for the purpose of conveying, distributing and supplying, to said City of Vallejo end to the inhabitants of said City of Vallejo and for all lawful purposes a pipe line in so many and in such parts of the public roads and highways, streets and alleys in said County of Solano, as a grantee may elect to use for purposes aforesaid.

THE BOARD OF SUPERVISORS OF THE County of Solano do ordain as follows:

SECTION 1. The permit, privilege and franchise of laying, maintaining and using for the purpose of conveying, distributing and supplying water to the City of Vallejo, and the inhabitants thereof and for all lawful purposes, water pipes, mains and conduits in so many and in such parts of the public roads and highways, streets and alleys, in said County of Solano, as a 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 the City of Vallejo, a municipal corporation of the State of California.

SECTION 2; All water 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 permit, privilege and franchise herein granted, shall be of steel, iron, or other suitable materials and shall be of such dimensions as the owner for the time being of said permit, privilege and franchise shall determine. All such water pipes, mains and other conduits shall be laid in good and workmanlike manner and at least twenty-four (24) inches below the surface of the said highways, streets and alleys and in cases where said highways, streets and alleys are paved the pipe shall be laid so that there shall be at least six (6) feet clear from the edge of said pavement to the nearest point on the said pipe line, and in places where the said streets, alleys and highways are not paved, the pipe shall then be laid so as to leave at least fourteen (14) feet clear from the center of said highways, streets and alleys to the nearest point on said pipe line, said pipe line to be laid, under the direction of the Road Commissioner of the district or of the Engineer of the county in which said highways, streets and alleys are, and the owner shall have the privilege in the construction of its said pipe line to suspend or attach the same to existing bridges, and where the said pipe line is so suspended or attached the same shall be done with the approval of the Road Commissioner of the district in which said bridge is located, or of the County Engineer, and in cases where the pipe line is so suspended or attached the restrictions mentioned as to distances from the edge of the pavement, or from the center of the highways shall not apply, and it is further provided that the owner shall have the right to cross under
the present concrete pavements such location and such manner of con­struction shall be with the approval of the County Engineer.

SECTION 3. The owner herein shall repair any damage to existing telephone lines upon and along said highways where said pipe line shall be laid where such damage shall have been incurred in laying, maintaining or repairing the said pipe line, and the owner shall pay all charges that may become necessary in the changing of the position of any telephone poles or lines along said right of way.

SECTION 4. The owner for the time being of the said permit, privilege and franchise shall immediately upon laying, replacing or re­pairing the said water pipes, mains and other conduits, or any part thereof, at its own cost and expense, place such 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 or repairing such pipes and other conduits.

SECTION 5. The owner shall pay inspection fees not exceed­ing Fifty Dollars ($50.00) for such inspection, as the County Engineer may be called upon to make pursuant to the terms and conditions of this ordinance.

SECTION 6; The owner for the time being of said permit, privilege and franchise shall have the right to maintain, repair and replace any or all of such water pipes, mains and other conduits from time to time as may be necessary and proper.

SECTION 7; The owner of the aforesaid permit, privilege, and franchise being a municipal corporation and subject to said exemptions by virtue of Section 1 of Article 13 of the Constitution of the State of California, the payment of any percentage of its gross annual receipts arising from the use, operation or possession of such permit, privilege and franchise, are hereby waived and any requirements to pay such percentage or any percentage of the said gross receipts as set forth in the law of the State of California concern­ing the granting of franchises is hereby expressly waived and it is understood that the said permit, privilege and franchise is granted under and pursuant to the provision of the laws of the State of California which relate to the granting of franchises by counties.

SECTION 8; 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 Supervisors voting for and against the same, for one (1) week in Vallejo Evening Chronicle, a newspaper published in the said County of Solano, and, if during said thirty (30) days a petition signed by qualified electors of said County, equal to ten per cent (10%) 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 the ordinance be presented to the 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 it shall submit the same to a vote of 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 thereupon shall vote in favor thereof.

Passed this 5th day of January, 1925.

Ayes- Supervisors Mayfield, McCormack, Schmeiser, Thornton and Fleming.

Nees- None.  D. M. Fleming,
Chairman.

ATTEST:  
G. G. Ha!liday, 
County Clerk.