ORDINANCE No. 61

An ordinance granting to the Pacific Coast Condensed Milk Company, a corporation of the State of Washington, a license to construct, lay and maintain a sewer box in and along certain portions of Harrison, Fourth and Willis streets, in the Town of Kent.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF KENT:

Section 1.

That there be and is hereby granted to the Pacific Coast Condensed Milk Company, a corporation of the State of Washington, and to its assigns, a license to construct, lay and maintain along the streets and upon the lands hereinbefore purchased and described, a sewer box having inside measurements of 12 inches by 18 inches, laid at least six inches below the surface of the ground at any and all points, to be constructed of good sound cedar lumber at least two inches thick, surfaced on one side, so as to make the inside of said box smooth at all places, the bottom of said box to be stiffened with slats of cedar 2 inches by six inches, every eight feet, the top to be covered with short places laid crosswise of the box, all to be constructed and at all times to be maintained in a good and substantial manner and well and securely nailed and fastened, and throughout its course to be free from angles of less than 120 degrees.

The said sewer box to be used for the purposes of conducting the waste water away from the factory of the said company located in the said Town of Kent.

Section 2.

That the said sewer box shall traverse as nearly as practicable the following lines: Beginning at the east side of Second Street, in the said Town of Kent at its intersection with Harrison Street, running thence west along said Harrison Street parallel with and at a distance of 16 feet from the north marginal line thereof to a point in Fourth Street at its intersection with Harrison Street, which is 16 feet east from its west marginal line, running thence north along a line parallel with and 16 feet east from the west marginal line of Fourth Street to a point in Willis Street which is 16 feet south of its north marginal line, thence west along a line parallel with and 16 feet south of the north marginal line of said Willis Street to the west boundary line of the said town; provided that the said license shall and does assume the burden of making satisfactory arrangements with the Seattle-Thomas Interurban Railway for crossing its right of way.

Section 3.

The Town of Kent reserves and shall at all times reserve the same right to the full and complete control of the said streets that it now has and the same as it has over other streets of the said town. And the said licensees shall in laying, constructing, maintaining, removing, altering or repairing the said box or any portion thereof at any and all times do and perform any and all work therein and thereon in such manner as not in any way to molest, obstruct or impair any of the water pipes, sewer pipes or conduits, or other pipes or conduits belonging to the said town; and shall at all times keep and maintain the said sewer box in such condition as to afford the least possible obstruction to the said town in the control and care of the said streets. And the said licensees and its assigns shall fill all excavations promptly and as soon as practicable, and level down the streets where the said box is laid so as to leave them in as good condition as before they were disturbed.
Section 4.

The bottom of the said box shall have a continuous and uniform grade from its beginning to its outlet, and shall have enlargements with manholes properly protected and carefully closed at all angles. Wherever driveways or crossings occur passing over the said box the said box shall be protected by a double cover, or in such manner which shall give equal strength and security, breakage and collapse of the same. Flood gates shall be provided at the point where the said box passes through the city limits and at least two points beyond the city limits, one of which shall be at the outlet of the said box.

Section 5.

The said licensee and its assigns shall be liable primarily to any and all persons who may sustain damages by reason of the negligence of the said licensee or its assigns, in the construction, laying, maintaining, alteration, removal or repairs of the said sewer box or by reason of negligence in construction of any structures used in connection with the same, or by reason of negligence in making, guarding, or filling any excavations made in laying, repairing or maintaining the said sewer box, and the said licensee and its assigns shall and will hold the said town free from any and all charges and damages claimed or to be claimed by any person or persons against the said town because of any such negligence on the part of the said licensee or its assigns.

Section 6.

The said licensee shall at all times provide a good and sufficient outlet for the said sewer box and shall protect the said town against any overflow or seepage therefore in or upon any street or alley, or any lots or blocks or any other property of the said town or of its inhabitants, or any of them.

Section 7.

If the said town shall at any time before the expiration of the period for which license herein granted shall run, establish a general system of sewerage for the said town, and the line over which the said sewer box is laid shall be necessary for the accommodation of the sewer pipes or conduits of the said sewerage system, the license herein granted may be by the council of the said town revoked, and the said box sewer removed to make room for such pipes or conduits.

Section 8.

The license herein granted shall extend over a period of twenty years unless sooner revoked under the provisions of this ordinance and as hereinafore set forth.

Section 9.

Before the license herein granted shall become effective the said licensee shall file with the clerk of the said town a written acceptance of the said license and an agreement to comply with its provisions and conditions in the construction, laying and maintaining repairs and removals of the said Box Sewer.

Section 10.

Failure of the licensee or its assigns to comply with the conditions and provisions of this ordinance shall work a revocation of the license herein granted.
TOWN OF KENT
Office of Town Clerk

KENT, WASH...190

Passed Dept. 18th 1905
Approved Dept. 20-1905

Attat: C. B. Barnelius
Town Clerk