

## Ordinance No. 11.

Granting to the Manufacturers Light and Heat Company, the right to lay pipes, fixtures, and connections on the streets, alleys, and highway in the Borough of Fallston Heights.

Section I. That the Manufacturers Light and Heat Company shall have the right and lawful authority, by itself, its agents and employees to enter upon any or all of the streets, alleys, and highways now within the limit of said Borough, or hereafter to be laid out or brought into the same, and freely without hindrance or molestation, make all necessary excavations, and lay down all such pipes and fixtures as may be deemed requisite to convey gas along said streets, alleys, and highways, and connect the same by supply pipes with all houses and buildings, and to do any other acts necessary to carry into effect the object contemplated by its charter.

Provided, however, that said company shall locate and place all mains which shall be laid by it, as aforesaid, upon the lines and locations which shall be

designated therefor by the Chairman of the Street Committee, and shall not lay down any main, or any pipe other than service pipes connecting mains with the house of consumers, on any part of any street, alley, or highway, except upon such location thereon as shall be designated by the said Chairman of the Street Committee.

And provided further, that all mains shall be laid at a depth of not less than 24 inches from the surface of the ground to the top of the pipe. And in case of any lowering of the grade of any highway, said company shall correspondingly lower such pipes.

Section III. It shall be the duty of the said company, and it is here by required, to restore all excavations made by it, on the said streets, alleys, and highways of the Borough, and put said streets, alleys and highways in as good order and repair as when the excavation or work thereon was begun, as speedily as it is possible during the progress of the work, and thereafter shall keep in like order and repair for a period of twelve months, so much

thereof as shall have been dug up or excavated; all of which shall be done under the direction and supervision of the Chairman of the Street Committee and no excavations shall be left open for a period longer than four days in the laying of a new main, and forty-eight hours in other cases.

If it fails to put said streets, alleys and highways or any of them, in as good condition and repair as they were before it entered thereon, or fails to keep them so for twelve months, as aforesaid, then and in either event, in case notice is given by The Council of said Borough to put the same in the condition and repair above required within ten days from the receipt of said notice, and it still neglects or refuses to put or keep any of said streets, alleys, or highways in as good condition and repair as they were before it entered upon the same, said Council may at once, upon the expiration of said notice, proceed to make such repairs and collect the cost thereof from said

Company, together with a penalty of 20% thereon for such neglect or refusal, to be recovered as debts of like amount are by law recoverable.

Section III. The said company shall not make any excavations in, or dig or tear up any street, alley or highway, except for the repair of leaks at any time between the first day of November and the first day of April. Provided, however, that written permits may be issued by the Chairman of the Street Committee, with the written approval of the President of Council, for the making of excavations at specified places for the purpose of making connections with consumers, within the period aforesaid, and any excavation done in accordance with any such permit, so approved, shall not fall within the foregoing prohibition.

For any violation of the provisions of this section, or of the prohibitions contained in the proviso to Section II, the said company shall, on conviction thereof before the Burgess or any Justice of the Peace, forfeit and pay a penalty not exceeding One Hundred dollars, to be recovered as debts of like amount are by law recoverable.

Section IV. The said Company shall file with the Clerk of Council an acceptance of all the conditions of this ordinance, on or before the \_\_\_\_\_ day of \_\_\_\_\_

Section V. Said Company shall pay the cost of publishing this ordinance.

Enacted into an ordinance this 13th day of April, 1905.

Joseph E. Hunt

Pres. of Council.

Attest: Lucy S. Townsend, Sec. of Council.

Examined and approved this 10th day of May 1905.

William P. McLean Burgess.

I hereby certify the above to be a true and correct copy of an ordinance passed by the Council of the Borough of Paterson Heights, April 13th, 1905.

Lucy S. Townsend, Clerk