

CHAPTER VIII

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Part 1
Electric

Section 1. Franchise to H. J. Thompson.¹ The privileges be and are hereby granted to H. J. Thompson, his successors, lessees, and assigns, for the purpose of furnishing electric light, heat, and power for domestic, commercial and industrial purposes, to construct, operate and maintain the necessary fixtures, poles, wires, cables, and conduits together with the necessary supports upon, over, along and under the streets, highways, footwalks, lanes and alleys of said Borough, as may be necessary for the purpose of constructing, operating and maintaining its lines through the said Borough and to the places of business, works, manufacturing establishments, offices and houses of subscribers within the Borough limits adjacent thereto, subject to the conditions and regulations hereinafter contained, provided, however, that said H. J. Thompson, his successors, lessees and assigns, shall use only proper insulated wires on all its transmission, distribution and service lines in said Borough.² (Ordinance 29, May 1, 1916, Section 1)

Section 2. Restoration of Disturbed Surfaces; Locations for Facilities. The said H. J. Thompson, his successors, lessees and assigns, shall replace the streets, highways, footwalks, lanes and alleys of the said Borough upon which it may place any of its poles, conduits, lines or fixtures as aforesaid, in as good condition as they were before said poles, conduits, lines and fixtures were erected thereon as aforesaid, shall be placed wherever practicable on alleys, and the location of said poles, lines, fixtures and conduits shall be made under the direction and supervision of the Street Committee of the Council of the Borough of the aforesaid, and permit in writing shall be first obtained by the said H. J. Thompson, his successors, lessees and assigns, from said Committee. (Ordinance 29, May 1, 1916, Section 2)

Section 3. Pole Requirements. All poles erected under the provisions of this ordinance³ shall be reasonably straight, and that no cross-arms for the suspension of wires or cables shall be placed at less distance than twenty feet from the grade of the street, unless by provision of said Council. (Ordinance 29, May 1, 1916, Section 3)

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1. This franchise is now vested in the West Penn Power Company.
 2. Section 5 of Ordinance 29, as amended by a resolution of March 11, 1920, required that H. J. Thompson complete construction of the plant within 120 days of the amendment, and that Ordinance 29 be transcribed into an ordinance book; Section 8 required that acceptance of the ordinance be filed and that all expenses in connection with passage of the ordinance be paid by Thompson; Section 10 repealed all conflicting ordinances and parts of ordinances.
 3. Sections 1 to 7 of this chapter.

Section 4. Pole Tax; Borough Wires Permitted on Poles. The said H. J. Thompson, his successors, lessees and assigns, shall pay a pole tax of ten (10) cents per pole per year to the Borough of Beech Creek, and the said Borough shall have the privilege free of charge, to erect wires for fire and police purposes on the poles of said H. J. Thompson. (Ordinance 29, May 1, 1916, Section 4)

Section 5. Liability for Damages. The said H. J. Thompson, his successors, lessees and assigns, shall be liable for all damages by reason of erecting, operating, and maintaining its plant in the Borough of Beech Creek, Pennsylvania. (Ordinance 29, May 1, 1916, Section 6)

Section 6. Applicability of General Ordinances. The said H. J. Thompson, his successors, lessees and assigns, shall be governed by all legal ordinances of a general nature now in force or that may hereafter be enacted. (Ordinance 29, May 1, 1916, Section 7)

Section 7. Rates Restricted; Exclusive Rights not Granted. The maximum schedule of rates charged for lights, heat and power for domestic and industrial purposes by the said H. J. Thompson, his successors, lessees and assigns, shall in no event exceed those for similar service in the Borough of Bellefonte, Pennsylvania. The rights, privileges and franchise hereby granted⁴ to the said H. J. Thompson, his successors, lessees and assigns are not exclusive. (Ordinance 29, May 1, 1916, Section 9)

4. By this ordinance, Sections 1 to 7 of this chapter.

Part 2
Telephone

A. Central Pennsylvania Telephone and Supply Company

Section 51. Franchise to Central Pennsylvania Telephone and Supply Company.⁵ The Central Pennsylvania Telephone and Supply Company, its successors or assigns, its or their agents, servants and employes are permitted to erect and maintain in the streets, lanes and alleys of the Borough of Beech Creek, Pennsylvania, so far as the Borough authorities have any legal rights therein, and over and under, the same, a line or lines of poles and wires, with all such necessary fixtures therefor as may be necessary for the successful prosecution of a telephone or signal business by means of electricity. (Ordinance 15, May 6, 1901, Section 1)

Section 52. Requirements for Facilities. The poles shall be reasonably straight and at least (30) thirty feet in height, and the fixtures so to be erected shall be put in a safe and substantial manner and shall be as neat in appearance as may be, and shall be located by the Street Committee, or the Street Commissioner or under their direction in such a manner as not to obstruct said streets, lanes and alleys in their ordinary and customary use and shall be erected, maintained and cared for at the cost and charge of said company. (Ordinance 15, May 6, 1901, Section 2)

5. This franchise is now vested in the Bell Telephone Company of Pennsylvania.

B. Bald Eagle Telephone Company

Section 61. Franchise to Bald Eagle Telephone Company.⁶ The Bald Eagle Telephone Company, its successors or assigns, its agents, servants, and employes, are hereby permitted to erect and maintain in the public streets, lanes and alleys of the Borough of Beech Creek, and over and under the same a line or lines of poles and wires with all such necessary and usual fixtures therefor, as may be necessary for the successful prosecution of a telephone or signal by means of electricity.⁷ (Ordinance 23, February 28, 1906, Section 1)

Section 62. Requirements for Facilities. The poles shall be reasonably straight and the fixtures to be erected shall be put up in a safe and substantial manner and shall be as neat in appearance as may be, and shall be located by the Street Committee or the Street Commissioner, or under their direction, in such a manner as not to obstruct said streets, lanes and alleys in their ordinary and customary use, and that they be erected and maintained and cared for at the expense and cost of said Company. (Ordinance 23, February 28, 1906, Section 2)

Section 63. Liability for Damages. The Bald Eagle Telephone Company, its successors or assigns, agents or employes, shall be liable for any and all damages or injury of whatever kind that may be caused by the poles, wires, fixtures, or property of said Company, its successors or assigns. (Ordinance 23, February 28, 1906, Section 3)

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6. This franchise is now vested in the United Telephone Company of Pennsylvania.
 7. Section 4 of Ordinance 23 required that the Company pay for advertisement of the ordinance before it could take effect.