

TITLE 13

FRANCHISE

Chapters:

13.02 RIGHT-OF-WAY TO PARK COOPERATIVE ELECTRIC
ASSOCIATION

Chapter 13.02

RIGHT-OF-WAY TO PARK COOPERATIVE ELECTRIC ASSOCIATION

Sections:

- 13.02.010 Grant Right-of-Way
- 13.02.020 Erection, Construction of Electric Lines
- 13.02.030 Liability and Damages
- 13.02.040 Forfeiture of Rights

13.02.010 Grant Right-of-Way. It is hereby granted to the Park Cooperative Electric Association and to its successors or assigns, a corporation organized and existing under and by virtue of law of the State of Montana, the privilege of a right-of-way for the erection, construction, maintenance, operation, and replacement of any electric transmission or distribution line or system, together with anchors, anchor stubs, and guy wires necessary or advisable in connection therewith, in, upon, along, over, and across the public streets and alleys located within the said Town.

13.02.020 Erection, Construction of Electric Lines. The said Park Cooperative Electric Association, its successors or assigns, shall have the right-of-way for the erection, construction, maintenance, operation, and replacement of an electric transmission or distribution line or system in, upon, along, over, and across the streets and alleys of the Town, provided that in the construction and operation of said electric transmission or distribution system or one, said construction and maintenance shall be in accordance with the National Electric Safety Code and laws of the State of Montana covering electric construction and provided that said electric system shall be constructed in such a way as to cause no unnecessary and least possible impediment to the common or ordinary use of said streets and alleys for public travel and other purposes.

13.02.030 Liability and Damages. Nothing contained in this chapter shall be construed to relieve in any manner the said Park Cooperative Electric Association, its successors or assigns from liability for damages which might arise or accrue

from the construction or maintenance of said electric transmission or distribution line or system, and if at any time, upon the inspection of said electric transmission and distribution line or system by proper officers of the Town, any portion of the said system shall be deemed unsafe, it shall become the duty of said company, its successors or assigns to repair said system immediately upon notice in writing being given to it or them of the unsafe condition of said system and said company and its successors or assigns shall at all times indemnify and hold safe and harmless the said Town, of any and all damages arising or accruing resulting from the construction and maintenance of said electric system.

13.02.040 Forfeiture of Rights. Any failure or refusal by the said Park Cooperative Electric Association, its successors or assigns, to comply with any of the conditions of this chapter after reasonable notice being given it or them by said Town, requiring the correction of such conditions, is considered a forfeiture of all the rights and privileges herein granted.

(Ord 45)