

CHAPTER 112

TELEPHONE FRANCHISE

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112.01 FRANCHISE GRANTED. Panora Cooperative Telephone Association, Inc., an Iowa corporation (the "Grantee"), its lessees, successors and assigns are hereby granted the nonexclusive franchise, right and privilege, for a period of twenty-five (25) years from and after the effective date of the ordinance codified by this chapter, to use the streets, alleys, bridges and other public places of the City for the purpose of erecting, maintaining and operating a telephone system, including all necessary appurtenances, and to use jointly or otherwise the property of other companies and permit other companies to use its property under such arrangements as such companies and the Grantee may agree upon.

112.02 LOCATION OF POLES. The location of poles by the Grantee under authority of this chapter shall be subject to the supervision of the Street Commissioner or such other official as the Council may designate. All poles shall be neat and symmetrical and be so located as to minimize interference with the safety or convenience of persons traveling the streets, alleys, bridges and other public places.

112.03 REPAIR OF SIDEWALK OR STREET PAVEMENT. The Grantee shall properly repair or replace any sidewalk or street surface which may be displaced or damaged by it in the erection and maintenance of its telephone system. Upon the failure of the Grantee to do so and after twenty (20) days' notice in writing given by the Mayor to the Grantee, the City may repair or replace such portion of the sidewalk or street surface as may have been disturbed by the Grantee and collect the costs so incurred from the Grantee.

112.04 SIGNAL WIRES. The Grantee shall, on demand, during the life of the franchise, provide crossarm or bracket space on each pole owned by it on which the City may desire to attach signal wires for the free use of the police and fire alarm systems of the City. All such wires shall be placed and

¹ EDITOR'S NOTE: The telephone franchise for the City was adopted by Ordinance No, 82. Ordinance No. 212, adopted April 8, 2002, renewed the telephone franchise for a period of twenty-five (25) years.

maintained so as not to interfere with the convenient use and maintenance of the Grantee's telephone system and the location of such wires shall be subject to the supervision of the Grantee. All such wires shall be placed and maintained in accordance with the *National Electric Safety Code*, as from time to time amended.

112.05 OFFICIAL TELEPHONE. The Grantee shall, during the life of the franchise, install and maintain at its own expense at such municipal office as the Council may designate, one business telephone (wall or desk) for the official use and benefit of the City.

112.06 FRANCHISE SUBJECT TO AUTHORITY OF CITY. The Grantee agrees for and on behalf of itself, its lessees, successors and assigns, that all authority and rights granted in this chapter shall be subject to all rights, powers and authority now or hereafter possessed by the City to regulate, control and direct or otherwise by ordinance or resolution legislate concerning the exercise of the franchise herein granted and concerning the manner in which the Grantee shall use the streets, alleys, bridges and other public places of the City.