

## CHAPTER 112

# TELEPHONE FRANCHISE

112.01 Franchise Granted

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**112.01 FRANCHISE GRANTED.** Frontier Communication, 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<sup>†</sup> 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 TRIMMING OF TREES.** The Grantee or its successor shall be permitted to trim trees wherever necessary for the safe and efficient operation of said telephone system.

**112.05 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 reasonable conditions by which the Grantee shall use the streets, alleys, bridges and other public places of the City.

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<sup>†</sup> **EDITOR’S NOTE:** Ordinance No. 501-93 adopting a telephone franchise for the City, was passed and adopted on April 23, 1993. Voters approved the franchise at an election held on May 18, 1993.

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