

AN ORDINANCE GRANTING TO CARL G. FISHER, C. R. CUMMINS, ARTHUR C. NEWBY, J. H. McDUFFEE and GEORGE R. KLINE, THEIR SUCCESSORS, HEIRS, LEGAL REPRESENTATIVES AND ASSIGNS, (including especially a corporation now in process of formation, which is being organized by the above named grantees) THE FRANCHISE RIGHT AND PRIVILEGE FOR A PERIOD OF THIRTY YEARS, TO CONSTRUCT, ACQUIRE, OWN, MAINTAIN AND OPERATE ELECTRIC LIGHT AND POWER LINES, TO MAKE REASONABLE RULES AND REQUIREMENTS FOR THE MANAGEMENT AND CONTROL BY THEM, TO MAKE, CHARGE AND COLLECT RATES FOR ELECTRIC LIGHT AND POWER FURNISHED, AND TO HAVE THE RIGHT-OF-WAY AND USE OF THE PUBLIC STREETS IN THE CITY OF MIAMI BEACH AND VICINITY.

BE IT ORDAINED BY THE CITY COUNCIL OF SAID CITY OF MIAMI BEACH, FLORIDA:

Section 1. That in consideration of the needs of the City of Miami Beach and its inhabitants, now and hereafter to be supplied with electricity, and the public benefits resulting therefrom, the plant and facilities for which could only be secured by the City at a cost beyond its revenues, which it could not now afford to pay, and for the other considerations appearing in this ordinance, the franchise, right and privilege is hereby granted to Carl G. Fisher, ^{C.R. Cummins} Arthur C. Newby, J. H. McDuffee and George R. Kline, their successors, heirs, legal representatives and assigns, (including especially a corporation now in process of formation, which said corporation is being organized by the above named grantees) for a period of thirty (30) years from the passage of this ordinance, and for such longer period as may be allowed by law, to construct, acquire, own, maintain and operate within or near the said City of Miami Beach, electric lines, to supply the City and its inhabitants and any adjacent territory with electricity for public and private uses, under such reasonable rules and regulations for the management and control of its business as said grantees may adopt, and to have the right-of-way through, in, upon and across, and to use the public streets, avenues, alleyways, parks and public squares, and public grounds in said town, within its present and future corporate limits,

for placing, erecting, re-placing, taking up, maintaining and operating poles, lines, and wires for the use in any way of electricity and any and all appliances necessary or proper for the successful operation, use and control of such electric business, and any and all appliances and property whatsoever connected therewith, subject to reasonable restrictions, regulations and control by the City of Miami Beach, and to make such rates and charges and collect the same for electricity supplied to or used by the City or by the consumers and others in said City and vicinity, as shall at all times be reasonable, and which shall not exceed the rates usually charged and collected by other private companies for the same service under like or similar conditions in towns and cities of the same size in the United States.

That the grantees herein, their heirs and assigns, successors and legal representatives, shall exercise due care in the use of the streets, avenues, alleys, ways and other public or private places in said City, and shall cause no unnecessary obstructions or unnecessary interruptions of public travel over and upon the same, and shall use due diligence in making such excavations or other repairs as may be necessary, and shall promptly make extensions of wires to all houses erected within the corporate limits of the City of Miami Beach, when requested to do so by the City Council, and after the completion of any such work to restore such streets or other places in their former condition.

Section 2. That as a further consideration for this ordinance, the grantees, for themselves, their heirs and assigns, successors and legal representatives, agree that they will keep and maintain such, and so many electric lights for lighting the streets and other public places of said City, and at such prices as may be agreed upon between said City and the grantees from time to time hereafter, such lights to be located at such points as may be determined by the City Council. In case that the rates to be charged for said lights cannot be agreed upon by the grantees or their assigns and the said City, the grantees for themselves, their heirs and assigns, agree that it shall be reasonable, and shall not

exceed the rates usually charged and collected by other private companies for the same service under like or similar conditions in towns and cities of the same size in the United States.

The rates for electricity for lights ~~for~~ other than street lights for the Beach properties, which will go in effect, are as follows:

1 to	20 KW @ 15¢	per KW	
20 to	50 KW @ 10¢	per KW	
50 to	100 KW @ 9¢	per KW	
100 to	1000 KW @ 8¢	per KW	For Lighting.
1000 to	3000 KW @ 7¢	per KW	
3000 to	5000 KW @ 6¢	per KW	
All over	5000 KW @ 5¢	per KW	

The minimum rates for lighting will be \$1.50, and 5% discount will be allowed when bills are paid on or before the 10th of the following month for which the bill has been rendered.

For power the rate shall be as follows:

1 to	300 KW @ 7¢	per KW
300 to	500 KW @ 6¢	per KW
500 to	1000 KW @ 5¢	per KW
All over	1000 KW @ 4¢	per KW

The minimum charge for power will be \$1.00 per horsepower connected load, or \$3.00 minimum. There will be no discount allowed for power bills.

The cooking rate shall be 5¢ per KW, with a \$1.50 minimum per month for each service.

Street lights for the City of Miami Beach, based on a moonlight schedule, for 32 candlepower lamps, the charge will be \$1.25 per light per month; for 60 candlepower lamps, \$1.65 each per month; for 80 candlepower lamps, \$2.20 per month, and for 100 candlepower lamps \$2.65 each per month.

Section 3. Said grantees, their heirs and assigns, successors and legal representatives, shall have the right and privilege, at their option, to alter, substitute or extend their electric system aforesaid, in such manner and to such extent, from time to time, as they may at any time deem expedient and to the best interest of said grantees, subject to reasonable regulations and control by the City of Miami Beach, and the provisions of this ordinance shall apply to such alterations, substitutions or extension thereof so made as aforesaid.

Section 4. That the franchise, right and privilege hereby granted by the City, is granted with a reservation that the said grantees, for themselves, their heirs and assigns, successors and legal representatives, as condition precedent to taking effect of the grant, shall and does hereby give and grant to the said City the right, at and after the expiration of the term of thirty (30) years hereinbefore mentioned, to purchase the electric plant herein mentioned or other property used under or in connection with such franchise, right or privilege, or such part of said property as said City may desire to purchase in accordance with the provisions of Chapter 4859 of the Acts adopted by the Legislature of Florida at its seventh regular session, which Act was approved June 2nd, A. D. 1899.

Section 5. That said City hereby agrees to pass all necessary and suitable ordinances for the protection of the franchise, rights and privileges, and property of said grantees, and to enable said grantees to enforce, if necessary, any of said grantees' reasonable rules and regulations for the management, operation and control of their business aforesaid, and to pass any ordinance or ordinances that may be necessary in order to fully confirm to said grantees, their successors and assigns, the franchise, rights and privileges herein or hereby granted or intended so to be.

Section 6. That whenever, in this ordinance a word or words, term or terms, are used to designate or intend to designate the grantees herein, they are understood to mean the said Carl G. Fisher, C. R. Cummins, Arthur C. Newby, J. H. McDuffee and George R. Kline, their successors, heirs, legal representatives and assigns, (including especially a corporation now in process of formation which is being organized by the above named grantees) and whenever the word "City" or "City Council", or any other word or words, term or terms are used to designate the City or City Council, they are understood to mean the City of Miami Beach, in the County of Dade, State of Florida, and the City Council of said City.

Section 7. That all ordinances or parts of ordinances inconsistent with this ordinance be and the same are hereby repealed.

PASSED AND ADOPTED this the 18th day of March
A. D. 1919.

N. E. Norton
President of the City Council

Attest:

J. J. Carrova
City Clerk.

APPROVED BY ME this the 18th day of March 1919.

Thos J. Paucoosh
Mayor, City of Miami Beach, Florida.

Ordinance #117

Electric Light Franchise
Brach Elect Lgt Co

Mar 18, 1921