

TITLE 20**MISCELLANEOUS****CHAPTER**

1. TELEPHONE.
2. UTILITY COMPANIES.

CHAPTER 1**TELEPHONE****SECTION**

- 20-101. To be furnished under franchise.
20-102. Supervised work.
20-103. Company duties.
20-104. Indemnity.
20-105. Use of streets.

20-101. To be furnished under franchise. Telephone service shall be furnished under franchise issued to DeKalb Telephone Cooperative, its successors and assigns, with authority to construct, maintain and operate lines of telephone and telegraph, including the necessary poles, conduits, cables, fixtures and electrical conductors upon, along, under and over the public roads, streets and highways of the Town of Gordonsville, Tennessee as its business may from time to time require, provided that all poles shall be neat and symmetrical. (1994 Code, § 20-101)

20-102. Supervised work. The work of erecting poles and constructing underground conduits under this chapter shall be done subject to the supervision of the town, and the company shall replace or properly relay and repair any sidewalk or street that may be displaced by reason of such work, and upon failure of the company so to do, after twenty (20) days' notice in writing shall have been given by the mayor of the town to the company, the town may repair such portion of the sidewalk or street that may have been disturbed by the company, and collect the cost so incurred from the company. (1994 Code, § 20-102)

20-103. Company duties. In consideration of the rights and privileges herein granted, the company, when requested by the town, will designate and provide without cost to the town:

- (1) On each pole owned and used by the company hereunder and during its ownership and use thereof, either:
 - (a) Space for a fixture for; or

(b) Space for a crossarm for, wires of the police and fire alarm signalling system of the town.

(2) In each underground conduit owned and used by the company hereunder and during its ownership and use thereof, one (1) duct for the cables of the police and fire alarm signalling system of the town; provided, however, that no use shall be made by the town of said space on such poles or of said duct which will result in interfering with or impairing the operation or use of the company's property or service, or which will endanger, damage or injure the person or property of the public or employees of the company or town. (1994 Code, § 20-103)

20-104. Indemnity. The company shall indemnify the town against, and assume all liabilities for, damages which may arise or accrue to the town for any injury to persons or property from the doing of any work herein authorized, or the neglect of the company or any of its employees to comply with any ordinance regulating the use of the streets of the town, and the acceptance by the company of this chapter shall be an agreement by it to pay to the town any sum of money for which the town may become liable from or by reason of such injury. (1994 Code, § 20-104)

20-105. Use of streets. Nothing in this chapter shall be construed as a surrender by the town of its right or power to pass ordinances regulating the use of its streets. (1994 Code, § 20-105)

CHAPTER 2

UTILITY COMPANIES

SECTION

20-201. Limited use.

20-202. Permits.

20-203. Responsibility.

20-204. Penalties.

20-201. Limited use. The town be, and the same is hereby authorized and empowered to limit or further restrict the further use of its highways, streets, avenues, roads and alleys by public utilities companies, individuals or corporations, particularly water companies, telephone, electric membership companies or corporations, dealers in services, utilities, requiring the erection of poles or other structures, or underground pipe lines and/or conduits, to their present situations and legal status, and hereby forbids the extension of any franchises, right or rights, use or uses, except as hereinafter provided. (1994 Code, § 20-201)

20-202. Permits. Any such utility, person, real or corporate, seeking to extend, or obtain the right to extend or further use of said streets, highways, roads or alleys in said town, for said utility purposes, shall hereafter apply to said mayor and board of aldermen and mayor for the privilege or right so to do, in specific terms, and shall obtain authority in writing so to do before acting thereon; the town may or may not grant said application in its discretion; and said application shall be accompanied by a fee of five dollars (\$5.00) which will be kept or returned to applicant according to the action taken. (1994 Code, § 20-202)

20-203. Responsibility. The applicant receiving said privilege shall be required to assume responsibility to the Town of Gordonsville, Tennessee, for the use of said town and/or for any person whose property rights have been injured or damaged by the negligent, careless and/or unauthorized use of the said privilege in failure to obtain written consent of the town and owner of property to st poles, erect structures of any sort or kind, place and/or maintain lines or cables, conduits, or for injuring or damaging the surface of any highway, road, street, avenue or alley in said town and may be required to face misdemeanor charges as hereinafter provided for violation hereof as hereinafter provided, and shall wholly repair at the applicant's cost, any damage or injury to said highways, roads, streets, avenues and/or alleys of the town on the same day done.

Failure to repair same at once, and for each succeeding day thereafter remaining unrepaired, shall be a misdemeanor chargeable to, and answerable

by the acting, directing individual managing head of the applicant, and the head man of the working crew responsible to answer therefor; likewise the erection and/or placement of any pole, structure, conduit, line, cable, or gadget, or pipe, alongside, upon or in front of or over property of any town person, real or corporate, without locating same according to the written wish of the Town of Gordonsville and the owner of the property affected, shall likewise constitute a misdemeanor for the managing heads aforesaid for each day violated, with the penalty for violations of each misdemeanor as hereinafter fixed for misdemeanors.

To evade the misdemeanor penalties it shall also be necessary to obtain the privilege therefor in the manner and form hereinbefore provided for, and act in strict conformity herewith. (1994 Code, § 20-203)

20-204. Penalties. For the first violation of any valid part thereof the fine shall carry a penalty of two dollars and fifty cents (\$2.50) and costs. The second violation shall carry a fine of five dollars (\$5.00) to fifty dollars (\$50.00) and also a thirty (30) day jail sentence in the discretion of the trial body. (1994 Code, § 20-204)