

Article II. Transmission and Distribution of Electricity.¹

Sec. 21-8. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Construct and use. To lay, construct, erect, install, operate, maintain, use, repair, replace or relocate.

Grantee. The corporation to which the franchise contemplated in this chapter is granted and its lawful successors or assigns.

Poles, wires, conduits and appurtenances. Poles, towers, supports, wires, conductors, cables, guys, stubs, platforms, crossarms, braces, transformers, insulators, conduits, ducts, vaults, manholes, meters, cut-outs, switches, communication circuits, appliances, attachments, appurtenances and any other property located or to be located in, along, across, upon, over or under the streets of the city, and used or useful, directly or indirectly, for the purpose of transmitting or distributing electricity.

Streets. The public streets, ways, alleys and places as the same now or may hereafter exist within the city. (Mun. Code, Sec.12010)

Sec. 21-9. Grant.

The franchise to use and to construct and use, for transmitting and distributing electricity for any and all purposes, poles, wires, conduits and appurtenances, including communication circuits necessary or proper therefor, in, along, across, upon, over and under the streets within the city is hereby granted to Southern California Edison Company, its lawful successors and assigns, upon the terms and conditions set forth in the Franchise Act of 1937. (Mun. Code, Sec.12011)

Sec. 21-10. Term.

The franchise granted under this article shall be indeterminate, that is to say, the franchise shall endure in full force and effect until, with the consent of the public utilities commission of the state, the same shall be voluntarily surrendered or abandoned by the grantee, or until the state or some municipal or public corporation thereunto duly authorized by law shall purchase by voluntary agreement or shall condemn and take under the power of eminent domain, all property actually used and useful in the exercise of the franchise and situate within the territorial limits of the state, municipal or public corporation purchasing or condemning such property, or until the franchise shall be forfeited for noncompliance with its terms by the grantee. (Mun. Code, Sec.12012)

Sec. 21-11. Compensation to city.

The grantee of the franchise under this article, during the life thereof, shall pay to the city two percent of the gross annual receipts of the grantee arising from the use, operation or possession of the franchise; provided, that such payment shall in no event be less than one percent of the gross annual receipts derived by grantee from the sale of electricity within the city. (Mun. Code, Sec.12013)

¹As to electricity generally, see Ch. 15 of this Code.

VERSION 10/2007

Sec. 21-12

Sec. 21-14

Sec. 21-12. Statement of gross receipts; payments.

The grantee of the franchise under this article shall file with the city clerk, within three months after the expiration of the calendar year, or fractional calendar year, following the date of the granting of this franchise, and within three months after the expiration of each calendar year thereafter, a verified statement showing in detail the total gross receipts of the grantee derived during the preceding calendar year, or such fractional calendar year, from the sale of electricity within the city. The grantee shall pay to the city within fifteen days after the time for filing the statement, in lawful money of the United States, the aforesaid percentage of its gross receipts for the calendar year, or fractional calendar year, covered by the statement. Any neglect, omission or refusal by the grantee to file the verified statement, or to pay the percentage at the times or in the manner hereinbefore provided, shall constitute grounds for the declaration of a forfeiture of this franchise and of all rights of grantee hereunder. (Mun. Code, Sec.12014)

Sec. 21-13. Bond.

The grantee of the franchise under this article shall file a bond running to the city with at least two good and sufficient sureties approved by the city council, or with a corporate surety approved by the city council, in the penal sum of one thousand dollars conditioned that the grantee shall well and truly observe, fulfill and perform each term and condition of this franchise, and that in case of any breach of condition of the bond, the amount of the penal sum therein named shall be recoverable from the principal and sureties upon the bond. The bond shall be filed with the city council within five days after the date of the granting of this franchise; and in case the bond is not so filed, or does not receive the approval of the city council, this franchise may be refused or forfeited and any money paid to the city in connection therewith shall be retained by the city. (Mun. Code, Sec.12015)

Sec. 21-14. Franchise act of 1937.

The franchise under this article is granted under and in accordance with the provisions of the Franchise Act of 1937. (Mun. Code, Sec.12016)

(Mun. Code, Secs. 12010, 12011, 12012, 12013, 12014, 12015, 12016)