

Ordinance No. 66 Michigan Gas Company

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An Ordinance granting to Michigan Gas and Electric Company, its successors and assigns, the right to acquire, construct, own, maintain, operate and use in the streets, alleys and public places of the Village of South Range, County of Houghton, State of Michigan, and its successors, for the production, distribution, transmission and sale of gas for heating, fuel, power, illumination and other purposes, and to lay and maintain under and along the public streets, avenues, alleys and public places within the said Village of South Range, a system of mains, pipes, conductors, and other necessary and convenient devices for the carrying on of said business.

The Village of South Range, County of Houghton, State of Michigan, Ordains:

Section I.

The Michigan Gas and Electric Company, its successors and assigns, hereinafter called the grantee, are hereby granted the right, privilege, franchise, power and authority to acquire, construct, own, maintain, operate and use in said Village of South Range, County of Houghton, State of Michigan, a plant or plants and facilities for the production, distribution, transmission and sale of gas for heat, fuel, power, illumination and other purposes and to lay and maintain, in, on, under, along, and across public streets, avenues, alleys, bridges, highways, roads, and other public places within the said Village of South Range, County of Houghton, State of Michigan, as now established or may be hereafter established, a system of mains, pipes, conductors and other necessary and convenient appurtenances and devices appropriate to and for the purpose of the production, distribution, transmission and sale of gas to the said Village of South Range, County of Houghton, State of Michigan, and the inhabitants thereof and to persons, firms, and corporations beyond the limits thereof, and to do a local business therein, subject to such reasonable regulations as shall be prescribed from time to time by the Village Council of the said Village.

Section II.

The mains, pipes, conductors, and other appurtenances and devices necessary for the carrying on of the business of the grantee herein named, shall be so laid, maintained, repaired or renewed so that they will not injure or interfere with any sewer, catch basin, drain, culvert, water pipe, conduit and other underground structure now in any public street, avenue, alley, highway, road, or other public place in said Village of South Range, County of Houghton, State of Michigan. The grantee shall make such extensions to its system within such Village as shall be reasonably required from time to time, and as authorized by the Michigan Public Service Commission.

Section III.

All of said mains, pipes, conductors and other appurtenances and devices shall be laid, maintained, repaired or renewed by the grantee in accordance with the standard rules of the Michigan Public Service Commission for the maintenance, construction and operation of gas plants, transmission and distribution systems and the grantee herein shall, upon request and without charge therefor, subject to the rules and regulations of the grantee, as approved by the said Michigan Public Service Commission, connect all service pipes of consumers and prospective consumers with the mains and pipes of the Company in all avenues, streets, and alleys where any of such mains or pipes are laid or to which they are or may be extended.

Section IV.

The grantee herein shall save and keep the said Village of South Range, County of Houghton, State of Michigan, harmless from any and all claims for damages to persons or property by reason of the construction, maintenance and operation of said plant and system and the use of the streets, avenues, alleys, highways, roads, and public places in said Village of South Range, County of Houghton, State of Michigan, therefor, and shall reimburse the said Village of South Range for its reasonable cost or expense for repairing any and all depressions or defects which may exist or develop in that portion or portions of the streets, avenues, alleys, highways, roads, or public places over any tunnel or excavation made by grantee within three (3) years prior to such repairs and which may be caused by such tunnel and excavation, provided that the said Village of South Range shall first have notified the grantee of such depressions or

defects and the grantee shall have failed to repair the same for the period of ten (10) days after such notice.

Section V.

The grantee shall fix reasonable rates and charges subject to approval of the Michigan Public Service Commission for such gas sold by it in doing a local business within said Village of South Range, County of Houghton, State of Michigan, and such rates, charges, rules, regulations, conditions of service and the quantity, quality and pressure of the gas furnished to consumers shall at all times be subject to the jurisdiction and approval of the Michigan Public Service Commission or other authorized state or federal regulatory body having jurisdiction thereof. Either the Village of South Range or the grantee herein may make applications to any such authorized regulatory body for a review and adjustment of rates to be charged by the grantee for the services rendered by the said grantee in such Village of South Range.

Section IX.

The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Village Council of the Village of South Range, County of Houghton, State of Michigan, hereby reserves the power to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

Section X.

This franchise shall be accepted by the grantee within sixty (60) days from the date of the adoption of this ordinance.

Section XI.

This ordinance shall take effect after acceptance by the grantee and when confirmed by a vote of more than three-fifths of the electors voting thereon on an election duly called.

Dated this 2nd day of June, A.D. 1966.

Village of South Range
County of Houghton
State of Michigan

By: (Clifford F. Paulson)
President Clifford F. Paulson

Countersigned:
(ELSIE ESKOLA)
Clerk Elsie Eskola