

ORDINANCE NO. 22

An Ordinance Granting to Municipal Gas Corporation, (A Delaware Corporation), their Successors or Assigns, the Franchise and Right to erect a Gas System, and to enter upon the Streets, Avenues, Alleys and Public Places of the Village of Blaine

County, State of Minnesota, as the same now are or may be hereafter extended and therein to lay, relay, maintain and operate a system of Pipes, Tanks, Valves, other appurtenances and equipment for the manufacture and distribution of Gas and to sell said Gas so distributed to the public for Heat, Fuel, and all other usual purposes; also providing rules and regulations covering the construction, maintenance and operation of said gas system and—or distribution system and penalties for their violation, and providing for the fixing of rates for Gas service.

Be It Ordained by the Village Council of Blaine County, State of Minnesota:

SECTION ONE

The Village Council of Blaine Minnesota, hereinafter called the "grantor", hereby grants to Municipal Gas Corporation, (A Delaware Corporation), their Successors or Assigns, the Franchise and Right for a period of twenty (20) years from and after the acceptance of said franchise as hereinafter provided to erect, install, maintain and operate a gas system and to enter upon the streets, avenues, alleys and public places of the grantor as the same now are or may hereafter be extended and to lay, relay, maintain and operate a system of pipes, tanks, valves, and other appurtenances and equipment for the distribution and sale of gas, and to install in and about the same distributed for heat, fuel or any other legal purpose.

SECTION TWO

The system of pipes, tanks, valves, appurtenances and fixtures installed and operated shall be such a manner as not to endanger persons, or property and so as not to interfere unnecessarily with any other use of the streets, avenues, alleys or public places, or private property and no use of water systems or other utilities shall be obstructed or interfered with by the installation of these tanks shall be held so as not to interfere with public improvements and the grantor shall be held responsible for the performance or non-performance of the matters contained in this section.

SECTION THREE

The grantee shall in the original installation and from time to time, install the necessary appurtenances and fixtures in and about the streets, avenues, alleys and public places of the grantor in writing, provided of the grantor in writing, provided

pressure and the gas to be furnished shall be uniform in quality and shall have heat values of at least the equivalent of five hundred thirty (530) British Thermal Units. If it seems proper that gas be furnished of a higher calorific value than five hundred thirty (530) British Thermal Units per cubic foot, the meter charged in appropriate and based on five hundred thirty (530) British Thermal Units gas.

SECTION SIX

The rates to be charged shall be fixed by the Council of the grantor or such other official body, the maximum price for gas to be sold to the public shall be fixed by the grantor to its patrons within said village shall not exceed the following rates based on British Thermal Units: Service charge per month as follows: 1000 cubic feet used per mo. \$1.75 Second 1000 cubic feet used per mo. 1.50 Third 1000 cubic feet used per mo. 1.25 Over 3000 cubic feet used per month 1.00 per 1000 cubic feet. (Minimum charge, 70c per month)

SECTION SEVEN

The police powers of the grantor in respect to the streets and openings thereon shall not be impaired by the passage of this ordinance, and the grantor agrees to comply with all ordinances, regulations and provisions covering the use of the streets and alleys and the laying of mains, tanks and—other appurtenances under the provisions of this ordinance.

SECTION EIGHT

The grantor shall hold the franchise and all claims and actions, litigation or damages arising out of or by reason of the passage of this ordinance, and the grantor shall be held responsible for the performance or non-performance of the matters contained in this ordinance, and the grantor shall be held responsible for the performance or non-performance of the matters contained in this ordinance.

SECTION NINE

The grantee shall, within ninety days (90) of the date of the filing of its acceptance of this ordinance, commence the construction of its gas system, and thereafter use due diligence in the prosecution of the installation and completion of said gas system within six months after the date of the filing of its acceptance of this ordinance, and the Village Council of the grantor may, by resolution or resolution, extend the time of completion of the same, but the time shall be extended or extended by the Council of the grantor, and the grantor shall be held responsible for the performance or non-performance of the matters contained in this ordinance.

SECTION TEN

If the grantee shall be in default in the performance of any of the terms and conditions of this ordinance, the grantor may, by resolution or resolution, terminate the franchise and the grantor shall be held responsible for the performance or non-performance of the matters contained in this ordinance.

SECTION ELEVEN

Nothing in this ordinance shall ever be construed to be the vesting of any exclusive right in the grantee, and the grantor may at any time during the term of this ordinance grant similar rights and privileges to other persons.

SECTION TWELVE

The grantee shall file the written acceptance of this ordinance with the clerk of the grantor within thirty days to do this after its adoption, and the grantor shall be held responsible for the performance or non-performance of the matters contained in this ordinance.

Passed and approved on this 5th day of December, 1908

ATTEST:

W. B. Blaine
Clerk Mayor