

ORDINANCE NUMBER TWENTY-ONE

FRANCHISE TO WERTZ CONSTRUCTION COMPANY FOR OPERATION OF GAS LINE

INDEX	Sec. No.	Page No.
Permission to lay a gas pipe line - - - - -	1	- 1
Lines to be suitable material and properly buried - - - -	2	- 1
Lines not to be near water or lower lines, not to interfere with use of streets - - - - -	3	- 1
Wertz to furnish town with maps of location of lines - - -	4	- 1
Any building to be subject to approval by council - - - -	5	- 1
No lines to be laid within public parks - - - - -	6	- 2
No fixtures to extend above grade lines of any street - -	7	- 2
All openings of streets subject to town supervision - Also to be restored to original condition - - - - -	8	- 2
Town reserves right to further regulation - - - - -	9	- 2
Right to lay pipes for distributing gas to consumers - -	10	- 2
Council may revoke franchise - - - - -	11	- 3
Work to be commenced with a period of six months - - - -	12	- 3
Basis for fixing rate to be charged for gas - - - - -	13	- 3
Franchise revoked if gas not furnished - - - - -	14	- 3 & 4
Certificate of Town Clerk - - - - -		4

INDEX FOR ORD. # 21

FRANCHISE TO WERTZ CONSTRUCTION COMPANY FOR OPERATION OF GAS LINE

ORDINANCE NUMBER TWENTY ONE

AN ORDINANCE GRANTING UNTO R.E.WERTZ, HIS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONDUCT, MAINTAIN AND OPERATE IN THE PUBLIC STREETS, ALLEYS, AND PUBLIC WAYS A PIPE LINE FOR THE CONVEYANCE AND TRANSMISSION, SUPPLY AND DISTRIBUTION OF GAS.

BE IT ORDAINED, by the Mayor and Town Council of the Town of Mills:

Sec.1. POWER AND PERMISSION GRANTED: That permission and authority is hereby granted to R.E.Werts, his successors and assigns, to lay, bury, construct and maintain, repair, remove and operate in the public streets and alleys and other public ways of the Town of Mills or any additions which may be admitted to said Town, a pipeline or pipelines for the conveyance and transmission, supply and distribution of gas.

Sec.2. ALL LINES TO BE BURIED: All such lines as the said R.E.Werts, his successors and assigns, may now or hereafter construct, shall be a proper, safe and good quality of material for the purpose for which the same are to be used and shall be buried, placed and let into the earth to a sufficient depth in a good and workmanlike manner.

Sec.3. LAYING PIPES NEAR WATER OR SEWER MAINS: No Pipes of mains shall be laid nearer than two (2) feet from any water main, except where such pipe or mains cross each other, nor shall any pipe or main interfere with any present public improvement in said streets, lanes or alleys; but said R.E.Werts, his successors or assigns, shall have the right to extend said pipes across any and all sewers.

Sec.4. SHALL FILE MAPS: Said R .E.Werts shall file maps showing all lines, sizes and locations of lines with the City Engineer or Council.

Sec.5. BUILDING SUBJECT TO APPROVAL OF COUNCIL: Any building which may be erected by said grantee for the purposes specified herein shall be located in such place as shall be approved by the Town of Mills under the ordinances of said town.

Sec.6.- WITHIN PARKS PROHOBITED: No mains or pipes shall be laid within the limits of any public park belonging to the Town of Mills without special permission therefor from the Council of the said Town.

Sec.7. GRADE LINES: No manholes or other fixtures or appliances shall extend above the grade line of the streets or lane or alley or public ground where the same may be situated.

Sec.8. RESTORING STREETS TO GOOD CONDITION: The opening of any and all streets, lanes and alleys and public places by the grantee, their agents or employees, and the laying and erecting by them of any and all mains, pipes or other fixtures and appliances, under and by virtue of this ordinance, shall at all times be subject to inspection and regulations of the said Town of Mills and all streets, alleys and public places, opened under and pursuant to the provision of this ordinance, shall be restored within a reasonable time thereafter to as good condition as they were in before such opening was made as nearly as may be and to a condition satisfactory to the city Engineer of the said Town of Mills, and when same has been restored to such condition, R.E.Werts, will not be responsible to keep them in such condition.

Sec.9. TOWN MAY ADOPT OTHER RULES: The Town of Mills reserves the right to adopt from time to time in addition to the rules, conditions and provisions herein contained, such ordinances, rules and regulations as the Council of said Town may see fit to adopt in regard to the management and control of the rights and privileges herein conferred, provided, that such ordinances, rules and regulations, shall be reasonable and not destructive to the right hereby granted and not to conflict with the provisions of this ordinance.

Sec.10. MAY FURNISH GAS TO CONSUMERS: Power and permission is hereby granted said R.E.Werts, his successors and assigns to tap and make connections with said pipe lines for the purpose of selling, furnishing and distributing gas to consumers within the Town of Mills, and to lay and construct such connecting and distributing pipes in and under the streets, alleys and public way within the corporate limits of the Town of Mills.

Sec.11. COUNCIL MAY REVOKE FRANCHISE: If at any time the said R.E.Werts, his successors or assigns, shall fail, neglect or refuse, except for an accidental, unavoidable cause, for ninety consecutive days to accept the grant herein given, then, and in such event, this permit and all rights under it, shall, at the option of said Council, after ten days written notice served by registered mail upon the said R.E.Werts, his successors and assigns, be forfeited and all the covenants and agreements herein contained shall cease to be binding upon the said Town of Mills, and the rights and privileges herein granted shall be deemed, revoked and annulled, and if the said R.E.Werts for a period of six months shall fail to furnish a continuous supply of gas to the domestic consumers of the Town of Mills, this franchise shall, upon the option of the Town Council upon service of ten days written notice by registered mail to the R.E.Werts, his successors or assigns, be null and void.

Sec.12. WORK TO COMMENCE: This power and permission shall be void at the option of the City Council, if work on said pipe line or pipe lines shall not be commenced by the said R.E.Werts, his successors and assigns, within the town limits of the Town of Mills, within six months after the date of the passage of this ordinance and completed after its commencement, with due diligence. Council reserves unto itself the right to extend this franchise for a violation of this provision or to revoke the same with extension, however, to be made only upon a proper showing to the Council.

Sec.13. BASIS FOR FIXING RATE: The price charged for gas shall be fixed by the Public Utilities Commission.

Sec.14. LIMITATION: The permission and all the rights hereby granted shall continue in full force as long as R.E.Werts furnishes gas for domestic use under this franchise, and if the said R.E.Werts fails to furnish for a period of six consecutive months through neglect on their part, then this franchise will become null and void, provided however, the said Town of Mills shall serve a written notice upon the said R.E.Werts

by registered mail to its Secretary or President, giving them thirty days to cure the defect after the six months have elapsed.

This ordinance was passed on the 27th day of October, 1921, and shall take effect and become in full force after the same has been posted ten days as is provided by statute.

Mayor.

ATTEST:

Clerk.

STATE OF WYOMING)
) : SS.
COUNTY OF NATRONA)
Town of Mills.):

I, William Mills, the duly elected, qualified and acting Clerk of the Town of Mills, do hereby certify that the above ordinance was passed on the 27th day of October, 1921, and that three copies of the same were posted in three public places in the Town of Mills for a period of ten days after the passage of said ordinance and before the same became effective and that said ordinance became effective on the _____ day of November, 1921.

Town Clerk.

RESOLUTION EXTENDING THE TIME OF R.E.WERTZ IN WHICH TO BEGIN ACTUAL WORK IN THE TOWN OF MILLS UPON ORDINANCE NUMBER TWENTY: ^{ONE} BEING AN ORDINANCE GRANTING A FRANCHISE TO THE SAID R.E.WERTZ FOR THE LAYING OF GAS MAINS AND THE FURNISHING OF GAS IN SAID TOWN.

At a special meeting of the Town Council of the Town of Mills, held in the town hall on the 18th day of September, 1922, it was resolved that Ordinance Number Twenty^{ONE}, being an ordinance granting unto R.E.Werz, his successors and assigns the right, privilege and franchise to conduct, maintain and operate in the public streets, alleys and public ways, a pipe line for the conveyance and transmission, supply and distribution of gas to the inhabitants of the said Town of Mills; that a proper showing having been made by the said R.E.Wertz that additional time was necessary in which to carry out the conditions of said franchise in the laying of said pipe for the purpose of furnishing gas to the inhabitants of Mills,

THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Mills that the time for commencing work on said franchise shall be and hereby is extended until November 1st, 1922.

G.E.Boyle
Mayor.

Attest:
Winifred Garside
Clerk.

Aye and Nay vote being taken upon the above resolution with the following results:

G.W.Lindsley-	Aye
Mike Kennedy	Absent
Fred Shackelford	Aye
Fred Hunter	Aye

THE STATE OF WYOMING)
COUNTY OF NATRONA)
TOWN OF MILLS)

I, Winifred Garside, Town Clerk of the Town of Mills do hereby certify that the foregoing is a true and correct copy of the resolution passed at a special meeting of the Town Council of the Town of Mills, held on the 18th day of September, 1922.

Winifred Garside.
Town Clerk.