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ORDINANCE NO. 333

AN ORDINANCE GRANTING A FRANCHISE FOR THE
OPERATION OF A GAS SYSTEM AND APPURTENANT
FACILITIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIANA,
(hereinafter referred to as the "City"), as follows:

Section 1. That the City hereby grants to The Gas Board of the City of Columbiana (hereinafter referred to as the "Board"), its successors and assigns, the right, privilege, authority and franchise to acquire, construct, own, maintain, enlarge, extend, improve and operate a gas plant and system for the purpose of supplying gas and gas services to the City and the surrounding territory and the inhabitants thereof, and to use the streets, avenues, alleys and public ways and places in the City for such purposes.

Section 2. That the City hereby grants to the Board the right, privilege, authority and franchise at any time and from time to time during the period covered by this franchise and without any requirements as to permit or fee therefor to construct and extend its mains, pipes and conduits over or under or along any streets, avenue, alley or public way or place in the City for the purpose of constructing, repairing, improving, enlarging or extending said gas system.

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Columbiana, City of

operate said gas plant and system shall have been paid in full, whichever shall be the longer period permitted by law, all subject, however, to terms and provisions of Section 394 to 402, inclusive, of Title 37 of the Code of Alabama of 1940, as amended.

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Section 6. That this franchise shall be exclusive and the City hereby covenants and agrees not to grant any franchise for a water works plant and system during the term of the franchise hereby granted, insofar as an exclusive franchise now is or may hereafter be authorized or permitted by law to a public corporation such as the Board.

Section 7. That the provisions of this ordinance are intended to be severable and, if any one or more thereof should be held invalid for any reason, the rest shall nevertheless stand and be fully effective.

Section 8. That this ordinance shall be published at the expense of the Board by publication in one issue of the "Shelby County Reporter", which the City Council hereby finds to be a newspaper published in and of general circulation in the City of Columbiana.

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Section 9. All ordinances, resolutions or orders or parts thereof in conflict with this ordinance are hereby repealed, to the extent of such conflict.

Section 10. This ordinance shall become effective upon its passage and adoption by the City Council of the City of Columbiana, Alabama.

ADOPTED AND APPROVED this 1 day of August, 1985.

CITY OF COLUMBIANA, ALABAMA

By

Mayor

Attest:

Clerk

Mary E. Yargia

Rec. 750
Ad. 100
850

STATE OF ALA. DEPT. OF REVENUE
I CERTIFY THIS
INSTRUMENT WAS FILED

1985 AUG 13 AM 10:04

Thomas H. Thompson, Jr.
CLERK

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