

**ORDINANCE NO. 02 , 1997**

An Ordinance of the City Commission of the City of Bellefonte, Kentucky, Granting to American Electric Power Company, Its Successors and Assigns, a Twenty (20) Year Franchise, Privilege, Right and Authority to Acquire, Maintain, Construct and Operate In, Above, Under, Across and Along the Streets, Thoroughfares, Alleys, Sidewalks, Bridges, Public Ways and Other Public Places of the City of Bellefonte, Kentucky, and Its Successors and Assigns, Lines, Poles and Equipment for the Transportation, Transmission and Distribution of Electric Energy to the City of Bellefonte and the Inhabitants thereof and the Persons and Corporations beyond the Limits thereof for Light, Heat, Power and Other Purposes and for the Transmission, Transportation and Distribution of Same Within, Through or Across Said City.

**BE IT ORDAINED BY THE CITY OF BELLEFONTE, GREENUP COUNTY, KENTUCKY, AS FOLLOWS:**

**SECTION 1**

The American Electric Power Company, its successors and assigns, hereinafter called grantee, is granted the franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under, across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of the City of Bellefonte, Greenup County, Kentucky, lines, poles and equipment for the transportation, transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat, power and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City.

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SECTION 2. Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places.

SECTION 3. The franchise, privilege, right and authority shall be in full force and effect for a period of twenty (20) years from the date of passage of this Ordinance.

SECTION 4. The grantee of this franchise shall save the City harmless from any and all liability arising in any way from negligence of the grantee in the erection, maintenance or operation of said lines and appurtenances.

SECTION 5. The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Bellefonte as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was commenced.

SECTION 6. Wherever in this franchise either the City of Bellefonte or the grantee thereof is referred to, it shall be deemed to include the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not.



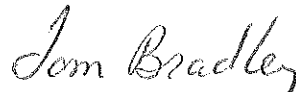
SECTION 7. The grantee of this franchise may make such rules and regulations covering the furnishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to said City.

SECTION 8. The consideration paid and agreed to be paid in its bid by the grantee for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said City, and in lieu of any pole tax or meter tax.


SECTION 9. The Ordinance granting this franchise shall be accepted by the grantee thereof within sixty (60) days from the date of its passage.

SECTION 10. All Ordinances and parts of Ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 11. This Ordinance shall be in full force and effect upon its passage by the City Commission.

  
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Tom Bradley, Mayor

ATTEST:

  
\_\_\_\_\_  
Elma Jessen, Clerk



Introduction and First Reading July 28, 1997.

Second Reading:

Adopted by the City Commission of the City of  
Bellefonte, Kentucky

the 25th day of August, 1997.



**CLERK'S CERTIFICATE**

I hereby certify that the attached transcript constitutes a true copy of all transactions by the City of Bellefonte pertaining to the granting to American Electric Power Company of a franchise authorizing the owner thereof to own, maintain, construct and operate electric power transmission and distribution lines upon, along, over and under the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the said City.

Said transcript consists of the following:

1. Ordinance No. 1, 1997;
2. Publication of Ordinance No. 1, 1997;
3. Notice of Sale
4. Bid Letter of American Electric Power Company with Public Service Commission Certificate of Convenience and Necessity attached;
5. Report of Sale to City Commissioner;
6. Ordinance No. 2, 1997 granting franchise;
7. Publication of Ordinance No. 2, 1997;
8. Excerpts of Minutes of all meetings of City Commission of City of Bellefonte pertaining to the subject franchise; and
9. This Certificate.


This 10th day of February, 1998.

  
Elma Jessen, Clerk

STATE OF KENTUCKY  
COUNTY OF GREENUP

Subscribed and sworn to before me by Elma Jessen, Clerk of the City of Bellefonte, this 10th day of February, 1998.

My commission expires July 29, 2000.

  
Daniel L. Rice, Notary Public  
State-at-Large, Kentucky

TARIFF BRANCH  
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