

Title 9 ▶ Chapter 4

Miscellaneous Utilities Provisions

- 9-4-1** Natural Gas Franchise — Wisconsin Power and Light Company
9-4-2 Natural Gas Franchise — Wisconsin Gas Company

Sec. 9-4-1 Natural Gas Franchise — Wisconsin Power and Light Company.

- (a) The Village of Merrilan (herein called "the village") does hereby grant to Wisconsin Power and Light Company, (herein called "the company"), a corporation organized and existing under the laws of the State of Wisconsin, its successors and assigns, upon the conditions hereinafter set forth, the right, authority and permission to construct, maintain, operate, enlarge and repair in the Village a system for the furnishing and distribution of natural gas and natural gaseous fuels, and to use the highways, roads, streets, alleys, lanes, boulevards, parks, public ways, public grounds and bridges in said Village for the construction, maintaining, operating, enlarging, and repairing its transmission and distribution pipe lines with all the necessary, usual or convenient manholes, valves, passage ways and appurtenances for the purpose of supplying and selling natural gas and natural gaseous fuels to said Village and its residents to any building, structure, factory, processing plant, industry or public or private house of any gas user therein.
- (b) This franchise is granted subject to the restrictions and conditions contained in applicable sections of the Wisconsin Statutes, and further subject to such rules and regulations as the Village Board of said Village may from time to time prescribe.
- (c) Any franchise granted by the Village shall not be exclusive and the Village may grant a similar franchise to any person at any time.
- (d) A condition of the franchise, license and permit is that the company shall restore all disturbed grounds and damaged pavement to a condition of repair equal to that existing prior to such damage.
- (e) Anything contained herein to the contrary notwithstanding, the award of any franchise hereunder shall not impart to the Grantee any right of property in or on Village-owned property.
- (f) Grantee shall indemnify Grantor and hold the Grantor harmless from any damage whatsoever resulting from the Grantee's negligence in the maintenance of the gas system in the Village. This indemnification shall become effective upon the Public Service

Commission of Wisconsin order that provides that Wisconsin Power and Light shall be the distributor of natural gas service for said Village.

- (g) This franchise shall be void and shall expire if the company shall not have obtained from the Public Service Commission of Wisconsin within three (3) years from the date of publication of this Chapter a certificate authorizing it to transact such public utility business and to construct and operate the above described gas distribution system in said Village of Merrillan.

Sec. 9-4-2 Natural Gas Franchise — Wisconsin Gas Company.

- (a) The Village of Merrillan (herein called "the village") does hereby grant to Wisconsin Gas Company, (herein called "the company"), a corporation organized and existing under the laws of the State of Wisconsin, its successors and assigns, upon the conditions hereinafter set forth, the right, authority and permission to construct, maintain, operate, enlarge and repair in the Village a system for the furnishing and distribution of natural gas and natural gaseous fuels, and to use the highways, roads, streets, alleys, lanes, boulevards, parks, public ways, public grounds and bridges in said Village for the construction, maintaining, operating, enlarging, and repairing its transmission and distribution pipe lines with all the necessary, usual or convenient manholes, valves, passage ways and appurtenances for the purpose of supplying and selling natural gas and natural gaseous fuels to said Village and its residents to any building, structure, factory, processing plant, industry or public or private house of any gas user therein.
- (b) This franchise is granted subject to the restrictions and conditions contained in applicable sections of the Wisconsin Statutes, and further subject to such rules and regulations as the Village Board of said Village may from time to time prescribe.
- (c) Any franchise granted by the Village shall not be exclusive and the Village may grant a similar franchise to any person at any time.
- (d) A condition of the franchise, license and permit is that the company shall restore all disturbed grounds and damaged pavement to a condition of repair equal to that existing prior to such damage.
- (e) Anything contained herein to the contrary notwithstanding, the award of any franchise hereunder shall not impart to the Grantee any right of property in or on Village-owned property.
- (f) Grantee shall indemnify Grantor and hold the Grantor harmless from any damage whatsoever resulting from the Grantee's negligence in the maintenance of the gas system in the Village. This indemnification shall become effective upon the Public Service Commission of Wisconsin order that provides that Wisconsin Gas Company shall be the distributor of natural gas service for said Village.
- (g) This franchise shall be void and shall expire if the company shall not have obtained from the Public Service Commission of Wisconsin within three (3) years from the date of publication of this Chapter a certificate authorizing it to transact such public utility business and to construct and operate the above described gas distribution system in said Village of Merrillan.