

Ordinance 126--

AN ORDINANCE granting to P. C. Hansen, of Kansas City, Missouri to operate a gas distributing system in the City of Wathena, Kansas his successors and assigns, a franchise to manufacture gas and to operate a natural or manufactured gas distributing plant and system in said City.

Ordinance 126

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

Section 1. That there is hereby granted to P. C. Hansen of Kansas City, Missouri, a franchise to operate a gas distributing system, in the City of Wathena, Kansas, herein called the grantee, his successors and assigns, the rights, privileges and franchise, for a period of twenty years from the effective date hereof, to construct, maintain and operate in the present and future streets, alleys, bridges and public places in said city a gas distributing system, together with the right, privilege and franchise to acquire, construct, maintain and operate therein and thereon such additions and extensions thereto as may be necessary or desirable, all for the purpose of manufacturing and supplying gas either natural or artificial, for all purposes to the inhabitants of said City and the consumers in the vicinity thereof.

Section 2. All rates establishing and charges made by grantee for gas distributed and sold hereunder shall be subject to valid and lawful orders of the public Utilities Commission of the State of Kansas or other competent authority having jurisdiction in the premises, and the sale of gas shall be governed by the present operating rules, regulations and customs of the grantee, and such rules and regulations as may hereafter be prescribed or approved.

Section 3. That in consideration of and as compensation for the right, privileges and franchise hereby granted, the grantee, his successors and assigns, shall furnish gas at such pressure and of such quality as shall be designated by lawful orders of the Public Utilities Commission of the State of Kansas, if such gas is reasonable procurable; shall furnish free of cost to each customer a recognized standard meter or other instrument of measurement of gas sold or computation of consumer's bills and keep same in repair at its cost, which meter shall at all times be subject to inspection by the city; shall at all times save the city harmless from any and all damages which said city may be liable to pay that may arise from the construction, maintenance and operation of its plant, system or any part thereof; shall limit all excavations of street alleys or public places to the necessities of efficient operations and shall not at any one time open nor encumber more of any highway or public places than shall be reasonably necessary to enable grantee to proceed with advantage in laying or repairing mains or pipes and shall not permit such highway or public place to remain open longer than necessary for the purpose for which it was opened; shall refill all excavations and replace all pavements with like material and leave same in as good condition as when altered or removed; shall perform all work on streets, alleys, and public places under supervision of a representative of said city, shall repay said city all expense to which it has been put in the repair or replacement of streets, highways or pavements in the event such work is done by said city after the neglect or refusal of grantee to perform same in a reasonable time.

Section 4. That none of the privileges granted by this ordinance shall take effect or be in force until after the expiration of sixty days from the date of its final passage, and until the grantee, his successors or assigns shall file within said sixty days with the City Clerk of said City, a written acceptance of the provisions hereof; and after the expiration of sixty days if no acceptance as hereintofore provided has been filed, then this ordinance shall ipso facto cease and become null and void.

Section 5. That grantee agrees to commence construction of said gas mains and pipes in said City of Wathena within one year from the date of acceptance of this ordinance and to have a flow and supply of gas in said pipes sufficient for the demands of said city within eighteen months from the date of acceptance of this ordinance and if either of the provisions are not complied with at the time specified then this franchise shall be automatically revoked and this ordinance shall become null and void.

Section 6. This ordinance shall be in full force and effect from and after its passage and publication in the Wathena Times.

Passed this 3rd day of May 1932.

Attest:
C.J. Poirier, clerk

T. M. Bauer, Mayor