

RECORD OF RESOLUTIONS

Resolution No. _____

Passed _____

20____

CITY OF BELPRE RESOLUTION NO. 24 (2020-21)

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BELPRE TO ENTER INTO A FRANCHISE AGREEMENT WITH OHIO POWER COMPANY

WHEREAS, the Ohio Power Company, an Ohio corporation, a unit of American Electric Power, has requested the City of Belpre enter into a non-exclusive franchise agreement; and

WHEREAS, the City of Belpre desires to enter into a non-exclusive franchise agreement with Ohio Power Company, an Ohio corporation, a unit of American Electric Power for the provision of electrical service within the City of Belpre; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELPRE, OHIO, THAT:

SECTION I

The City of Belpre desires to enter into a twenty-five (25) year non-exclusive agreement with Ohio Power Company, an Ohio corporation, a unit of American Electric Power, for provision of and maintenance of electrical services within the City of Belpre.

SECTION II

The Mayor of the City of Belpre is hereby authorized to enter into a franchise agreement with Ohio Power Company, an Ohio corporation, a unit of American Electric Power. A copy of said Agreement is attached hereto as Exhibit A.

SECTION III

This Resolution shall take effect and be in full force from and immediately after its passage by Council and signing by the Mayor.

PASSED: June 14, 2021

ATTEST: Kimberly L. Mendall

PRESENTED TO MAYOR: 6/14/21

APPROVED BY MAYOR: 6/14/21



PRESIDENT OF COUNCIL


MAYOR

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CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on June 14, 2021, this Resolution was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

June 14, 2021
Date

Kimberly A. Muehlth
CLERK

Resolution
CITY ORDINANCE
Resolution
ORDINANCE NO. 24

Resolution

~~An Ordinance~~ granting a franchise to Ohio Power Company, its successors and assigns, for the right to acquire, construct, maintain, and operate in the streets, thoroughfares, alleys, bridges, and public places of the City of Belpre, State of Ohio, and its successors, lines for the transmission and distribution of electric energy to the City of Belpre, and the inhabitants thereof for light, heat, power, and other purposes, and for the transmission and distribution of the same within, through, or across said City of Belpre, State of Ohio.

Be it ordained by the Council of the City of Belpre, State of Ohio:

SECTION I.

Ohio Power Company, its successors, and assigns (hereinafter called "Grantee") are hereby granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as the same now exist or may hereafter be laid out) of the City of Belpre, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in said City and to the inhabitants thereof by supplying electric energy to said City and the inhabitants thereof, and persons or corporations beyond the limits thereof for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission and distribution of the same within, through, or across said City of Belpre, State of Ohio.

SECTION II.

Said lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

EXHIBIT A

SECTION III.

The rights, privileges, and franchise hereby granted shall be in force and effect for an initial term of twenty-five (25) years from the date of the passage of this ~~Ordinance~~ ^{Resolution}. Thereafter this franchise shall continue for successive one-year terms, unless either party hereto provides written notice of its intention not to renew at least one year prior to the term expiration.

The rights, privileges, and franchise hereby granted shall not be construed to be exclusive and the Council of the City of Belpre hereby reserves the power to grant similar rights, privileges, and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION IV.

Said Grantee shall save the City harmless from any and all liability arising in any way from Grantee's negligence in the erection, maintenance, or operation of said lines for the distribution and transmission of electric energy, except to the extent such liability arises out of the contributory negligence or willful misconduct of the City.

SECTION V.

Whenever said Grantee shall begin the erection or installation of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced.

SECTION VI.

Wherever in this ~~Ordinance~~ ^{Resolution}, reference is made to the City or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges, franchises, and obligations herein contained by or on behalf of said City, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors or assigns of said City, or of said Grantee, whether so expressed or not.

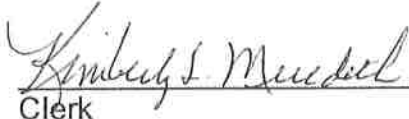
SECTION VII.

This ~~Ordinance~~ ^{Resolution} shall be accepted by the Grantee within sixty (60) days from the date of the passage of same.

Passed in Council, this 14th day of June, 2021.

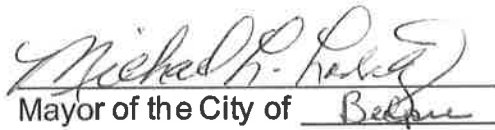


President of Council



Clerk

Approved this 14th day of June, 2021.



Mayor of the City of

Belpre