ORDINANCE NO. 37

AN ORDINANCE granting to THE GAS SERVICE COMPANY, a corporation, its successors and assigns, a franchise to operate a natural gas distribution plant and system in the Village of Wood Heights, Missouri, imposing an occupation and license tax, and relating thereto.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF Wood Heights, MISSOURI, AS FOLLOWS:

SECTION 1. That there is hereby granted to The Gas Service Company, a corporation, herein called the Grantee, its successors, and assigns, the rights, privileges and franchise, for a period of twenty (20) years from the effective date hereof, to construct, maintain and operate in the present and future streets, alleys, bridges and public places in the Village of Wood Heights Missouri, a gas distribution 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 supplying natural gas for all purposes to the inhabitants of said Village and consumers in the vicinity thereof.

SECTION 2. All rates established and charges made by Grantee for gas distributed and sold hereunder shall be subject to valid and lawful orders of the Public Service Commission of the State of Missouri, or other competent authority having jurisdiction in the premises, and the sale of gas to consumers shall be governed by the present operating rules, regulations and customs of 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 privilege and franchise hereby granted, the Grantee, its successors and

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 said Village; shall at all times save the Village harmless from any and all damages which said Village 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 streets, alleys or public places to the necessity of efficient operation and shall not at any one time open or encumber more of any highway or public place 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 Village, if so desired; shall repay said Village 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 Village after the neglect or refusal of Grantee to perform same in a reasonable time.

SECTION 4. Grantee shall not later than February 1 and August 1 respectively of each year make a report to the governing body of the Village of Wood Heights, Missouri of its gross receipts from the sale of gas for domestic and commercial purposes within the corporate limits of said Village for the six (6) months' period ending at the last meter reading preceding December 31 and June 30 respectively; and at the time of making such reports, pay into the Village treasury a sum equal to five (5%) per cent of said gross receipts subsequent to the effective date of this franchise, which shall be

domestic and commercial consumers may so require. Said percentage of Grantee's gross receipts is hereby levied and assessed as an occupation and license tax for the privilege of engaging in the business herein recited during the term hereof; and as a further consideration for this franchise, Grantee agrees to recognize the same as a valid tax and make said payments during such period.

SECTION 5. The Chairman of the Board of Trustees of the Village of Wood Heights is hereby empowered and directed to execute a true copy of this granted franchise, and the Village Clerk of said Village is hereby directed to affix the Village seal upon said true copy, and to attest the signature of the Chairman of the Board of Trustees on said true copy, and to deliver said properly executed copy to The Gas Service Company. The Gas Service Company shall thereupon execute and deliver its acceptance of said granted franchise to the Village Clerk.

Passed this 5 day of Feb., 1963.

Leo Shelton Jr. - Acting Mayor
Chairman of the Board of Trustees

ATTEST:

Mary Orlowski
Village Clerk

Approved this 5 day of Feb., 1963.

Board Members:
R. L. McLaughlin

Leo Shelton Jr. - Acting Mayor
Chairman of the Board of Trustees