

# Village of Lake Isabella - Codified Ordinances

## Article X – Utilities & Construction

### Chapter 1032 – Michigan Consolidated Gas Company Franchise

Ordinance 2008-05; July 15, 2008

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Chapter 1032.01	Grant of Gas Franchise and Consent to Laying of Pipes, Etc.
Chapter 1032.03	Installation and Extension of System
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#### **1032.01 GRANT OF GAS FRANCHISE AND CONSENT TO LAYING OF PIPES, ETC.**

Subject to all the terms and conditions mentioned in this ordinance, consent is hereby given to Michigan Consolidated Gas Company, a corporation organized under the laws of the State of Michigan (the “Company”), and to its successors and assigns, to lay, maintain, operate, and use gas pipes, mains, conductors, service pipes, and other necessary equipment in the highways, streets, alleys, and other public places in the Village of Lake Isabella, Isabella County, Michigan, and a non-exclusive franchise is hereby granted to the Company, its successors and assigns, to transact local business in the Village of Lake Isabella for the purposes of conveying gas into and through and supplying and selling gas in the Village of Lake Isabella and all other matters incidental thereto.

#### **1032.03 INSTALLATION AND EXTENSION OF SYSTEM**

If the provisions and conditions herein contained are accepted by the Company, as in Section 6 hereof provided, then the Company shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations; and provided further that such initial installation and any extensions shall be subject to the Main Extension provisions, the Area Expansion Program provisions (if and where applicable), and other applicable provisions now or from time to time hereafter contained in the Company’s Rules and Regulations for Gas Service as filed with the Michigan Public Service Commission or successor agency having similar jurisdiction.

#### **1032.05 USE OF STREETS AND OTHER PUBLIC PLACES**

The Company, its successors and assigns, shall not unnecessarily obstruct the passage of any of the highways, streets, alleys, or other public places within the Village of Lake Isabella and shall within a reasonable time after making an opening or excavation, repair the same and leave it in as good condition as before the opening or excavation was made. The Company, its successors and assigns, shall use due care in exercising the privileges herein contained and shall be liable to said Village of Lake Isabella for all damages and costs which may be recovered against the Village of Lake Isabella arising from the default, carelessness, or negligence of the Company or its officers, agents, and servants.

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No road, street, alley, or highway shall be opened for the laying of trunk lines or lateral mains except upon application to the Highway Commissioner or the Village of Lake Isabella or other authority having jurisdiction in the premises, stating the nature of the proposed work and the route. Upon receipt of such application, it shall be the duty of the Highway Commissioners or the Village of Lake Isabella or such other authority as may have jurisdiction, to issue a permit to the Company to do the work proposed.

### **1032.07        STANDARDS AND CONDITIONS OF SERVICE; RULES, REGULATIONS AND RATES**

The Company is now under the jurisdiction of the Michigan Public Service Commission to the extent provided by statute; and the rates to be charged for gas, and the standards and conditions of service and operation hereunder, shall be the same as set forth in the Company's schedule of rules, regulations, and rates as applicable in the several cities, villages, and townships in which the Company is now rendering gas service, or as shall hereafter be validly prescribed for the Village of Lake Isabella under the orders, rules, and regulations of the Michigan Public Service Commission or other authority having jurisdiction in the premises.

### **1032.09        SUCCESSORS AND ASSIGNS**

The words "Michigan Consolidated Gas Company" and "the Company", wherever used herein, are intended and shall be held and construed to mean and include both Michigan Consolidated Gas Company and its successors and assigns, whether so expressed or not.