

ORDINANCE NO. 232

Granting The Cincinnati Gas & Electric Company, its successors or assigns, the right and privilege to occupy the streets, alleys, avenues, and public ways of the **Village of Hamersville**, Ohio, for the purpose of laying, extending, maintaining, operating, repairing and removing mains, pipes and necessary apparatus for transporting gas in and through said **village** and for supplying the same to public and private customers in said **village** for a period of twenty-five (25) years.

BE IT ORDAINED BY THE COUNCIL OF THE **VILLAGE OF HAMERSVILLE**,
STATE OF OHIO:

Section 1. That The Cincinnati Gas & Electric Company, its successors or assigns, be and it is hereby granted the right, privilege and franchise for a period of twenty-five (25) years from and after the passage and acceptance of this ordinance, to enter in and upon the streets, alleys, avenues and public ways of the **Village of Hamersville**, Ohio, for the purpose of laying, extending, maintaining, operating, repairing and removing mains, pipes and necessary apparatus for transporting gas in and through said **village** and for supplying same to public and private customers in said **village**, as herein provided.

Section 2. That the mains, pipes and other necessary apparatus shall be so laid or constructed pursuant to this ordinance as to not unnecessarily obstruct or interfere with the proper drainage or sewerage of said **village** by the obstruction of storm or sanitary or combined sewers or other underground system for conveying drainage water or sewerage.

That in case the grade of any street, alley or public way be changed by said **village**, the cost of relaying said pipes shall be borne by said Company, its successors or assigns; that all mains or pipes used shall be of suitable and ordinary material as is usually used by gas distributing companies.

That the said Company be, and it hereby is, authorized to open the streets, alleys or public ways of said **village**, subject

to ordinances regulating such openings, for the purposes herein specified; provided that all precautions be taken as may be reasonably necessary to protect the property of said **village** and other parties having an interest in the streets, alleys, or public ways in which said work is to be done and that upon the completion of said work, said Company shall restore such streets, alleys or public ways as near as practicable to their former condition. If said Company shall neglect to restore any street, alley or public way to its former condition or to repair the same after ten (10) days' written notice from the Clerk of the **Village**, then the Council of said **Village** may cause such work to be done and all expense involved by said work shall be borne by the said Company, its successors or assigns.

Section 3. That The Cincinnati Gas & Electric Company shall install distribution mains in, over and through the streets of the **Village of Hamersville, Ohio** only when such installation and extensions can be made in accordance with its general main extension schedules which are a part of its tariff filed with The Public Utilities Commission of Ohio, currently in force and effect, it being understood that, in the acceptance of this franchise, the Company shall not be obliged in any event to install distribution mains in said **village** at such times if any, when gas is not available for supplying additional customers.

Section 4. That The Cincinnati Gas & Electric Company, its successors or assigns, shall save harmless the **Village of Hamersville,** Ohio, from any and all claims for damages or injuries due to the negligence of said Company which may be incurred during or in connection with the construction, maintenance, operation or removal of said system of mains, pipes and other apparatus.

Section 5. This ordinance shall inure to and be binding upon any successor or assignee of The Cincinnati Gas & Electric Company;

provided, however, that before any transfer or assignment shall become effective, such successor or assignee shall file with the Clerk of Council a statement in writing agreeing to abide by and fully perform all of the duties and obligations arising hereunder.

Section 6. This ordinance shall take effect and be in force from and after the earliest period allowed by law, and, upon written acceptance by The Cincinnati Gas & Electric Company filed with the Clerk of Council, shall become a binding contract according to its terms between said Village and said Company for the full period hereof.

Passed Jan. 9, 1967

[Signature]
Mayor

Attest: Margaret Wilson
Clerk

I, Margaret Wilson, Clerk of the Village of
Homerville, Ohio, do hereby certify that the foregoing is
a true and correct copy of Ordinance No. 230, passed by the
Council of said Village on the 9 day of January 1967

Margaret Wilson
Clerk