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CITY OF BLOOMFIELD HILLS ORDNANCE NO. 94

AN ORDNANCE, granting to CONSUMERS POWERS COMPANY, its successors and assigns, the right and authority to lay, maintain, repair and operate gas and service lines, poles and appurtenances, across and under the streets, alleys and public places, and do a local gas business in the CITY OF BLOOMFIELD HILLS, OAKLAND COUNTY, MICHIGAN, for a period of twenty years.

The CITY OF BLOOMFIELD HILLS ORDINANCE

Section 1. That whereas the said "Consumers" is the grantor in this reference, it is intended to designate, and shall be held to refer to The Consumers Power Company, its successors and assigns.

Section 2. That the right and authority hereby granted to said Consumers, its successors and assigns, to lay, maintain and operate gas pipes and service lines across, and under the streets, alleys and public places, and to do a local gas business in the CITY OF BLOOMFIELD HILLS, OAKLAND COUNTY, MICHIGAN, for a period of twenty years.

Section 3. That no application for public use need be made by said Consumers and shall be considered longer necessary during the current of construction and maintenance, and shall be revoked in the same form and conditions as when such work was commenced.

Section 4. That all streets and public ways shall be laid and maintained in a careful and proper manner as not to injure persons and property; the Consumers shall use such severity as to prevent any damage to persons or property caused by the said Consumers.

Section 5. The Consumers shall be entitled to change said City and public streets, the same for the service of the streets, as has been approved by the Michigan Public Service Commission for its statistical purposes, and which Commission has authority and jurisdiction to fix, regulate and alter gas rates and rates regulating the services of the Consumers and the City, said Consumers and the City shall be bound by any such orders or regulations as may be made by either the City, acting by its City Commission, or by said Public Service Commission.

All rights and easements granted to the City and County shall be subject to the right of the City and County to make all reasonable use have in the premises for the purposes of the City and County in removing and replacing said public works.

Section 7. The Consumers shall provide gas service within said City, and shall extend its gas distribution system wherever the amount of gas to be supplied, and the number of rate-payers, and other considerations, shall be found to justify such extensions and be reasonable and sufficient reasons upon the cost of providing such service.

The said Consumers shall, before entering upon any street, high- way, alley or other public place for the purpose of laying or maintaining any mains, pipes, gas works or other apparatus, notify the City Manager of the municipality, the City Clerk of the City of Bloomfield Hills, and the Board of Review of the City of Bloomfield Hills, of the purpose of the proposed construction or installation and obtains a permit therefor, and shall, if the City Manager so requires, the City Clerk of the City of Bloomfield Hills, and the Board of Review of the City of Bloomfield Hills, a sufficient plan and specification, showing the nature and extent of the proposed construction or installation.

Stated Consumers shall be compelled to the City of Bloom- field Hills, its authorized purchasing agent, the holding of the title of the effect of this franchise and be prepared to render said from one year prior to January 1st of each year prior to January 1st of each year, so as to be able to manage the said Consumers shall be held to the right of making and enforcing all such regulations as shall be reasonably necessary to secure the proper adjustment and proper service, convenient and reasonable accommodations for the people, and secure their comfort and convenience.

Compliances by said Consumers with the duties and obligations hereinbefore required and imposed upon it, shall be deemed to constitute complete and adequate performance for the purpose hereinbefore mentioned, said Consumers shall, as to all other conditions and obligations of service and service rendered, be and to remain subject to the reasonable requirements and regulations of the Michigan Public Service Commission vis a vis its municipalities, applicable to gas services within said City.

Section 9. In order to become transferees, this franchise shall be accepted in writing by said Consumers within thirty days from the date of the enactment, which acceptance shall be filed with the City Clerk. The general terms and conditions of this franchise shall be subject to the affirmative vote of at least three-fifths of the directors of said Consumers, or in the event of removal of a regular or special meeting, election to be held in the manner provided by law. This resolution shall be affected subject to the doth of the franchise as provided in the City Charter and, if not ratified by the electors, shall result in said franchise for a period of one year after its effective date.

Made and passed by the Commission of the City of Bloomfield Hills on a regular meeting held May 13, 1904.

![Image of a person making something]

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