

**ST. IGNACE TOWNSHIP  
ORDINANCE NO. 3**

*Disolved.  
Replaced by  
Ordinance # 39  
SemaCo Energy  
2/18/2013*

**OPERATIONS FOR MICHIGAN CONSOLIDATED GAS COMPANY**

The following Ordinance No. 3 was adopted by the St. Ignace Township Board at a meeting held on April 5, 1969:

The Township of St. Ignace Ordians:

**SECTION I:**

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, 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 Township of St. Ignace, Mackinac County, Michigan, and a franchise is hereby granted to Michigan Consolidated Gas Company, its successors and assigns, to transact a local business in said Township of St. Ignace, for the purpose of conveying gas into and through, and supplying and selling gas in said Township and all other matters incidental thereto.

**SECTION II:**

This franchise is conditioned on the commencement of construction by Michigan Consolidated Gas Company of a gas main within the boundaries of the Township of St. Ignace on or before June 1, 1970. If such construction does not commence on or before that date this franchise shall terminate as more specifically provided in Section 6 hereof. Upon commencement of the installation of a gas main within the time specified, the Company shall proceed to complete the same as soon thereafter as reasonably practicable; provided, however, that the Company shall not be held responsible for delays due to weather or labor conditions, inability to procure necessary materials, or other causes beyond its control; and provided further, that such initial installation and all extensions shall be subject to the Main Extension provisions contained in the Company's Rules and Regulations for Gas Service as approved by the Michigan Public Service Commission.

**SECTION III:**

Michigan Consolidated Gas Company, its successors and assigns, shall not unnecessarily obstruct the passage of any of the highways, streets, alleys or other public places within said Township 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 Township for all damages and costs which may be recovered against said Township arising from the default, carelessness or negligence of the Company or its officers, agents and servants.

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 Township Board, 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 Commissioner or the

Township Board, or such other authority as may have jurisdiction, to issue a permit to the Company to do the work proposed.

#### **SECTION IV:**

The rates to be charged for gas, and the standards and conditions of service and operation hereunder, shall be as now set forth in the Company's Schedule of Rules, Regulations and Rates as applicable in its Northern District, being the Company's Rate Book, M.P.S.C. No. 3 and Rate Schedules Nos. 3 through 10 forming part thereof, or that shall hereafter be validly prescribed for the Company's Northern District, under the orders, rules and regulations of the Michigan Public Service Commission or other authority having jurisdiction in the premises.

#### **SECTION V:**

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.

#### **SECTION VI:**

This ordinance shall take effect immediately after the date of publication thereof, which shall be within ten (10) days after the date of its adoption, and shall continue in effect for a period of thirty (30) years thereafter, subject to revocation at the will of the Township at any time during said thirty (30) year period and subject to the condition that if the Company shall fail to commence the installation of a gas main in the Township within the time provided in Section 2 hereof, then this ordinance and the franchise hereby granted shall, without further action on the part of the Township, become null and void and of no further force or effect; provided, however, that when this ordinance shall become effective the Township Clerk shall deliver to the Company a certified copy of the ordinance accompanied by written evidence of publication and recording thereof as required by law and that Michigan Consolidated Gas Company, shall, within sixty (60) days after the date of the adoption of this ordinance, file with the Township Clerk its written acceptance of the conditions and provisions hereof.