

TITLE VI

Chapter 25

NATURAL GAS

25.01	Grant of Authority
25.02	Easements
25.03	Relocation
25.04	Services and rates
25.05	Rules and Regulations
25.06	Indemnification

25.01 GRANT OF AUTHORITY

- (1) The City has previously granted authority, by way of franchise, to Wisconsin Gas Company, hereinafter called Wisconsin and formerly American Gas Company, a Wisconsin Corporation, together with an extension of said grant of authority to its successors and assigns.
- (2) The grant includes an exclusive right and privilege to acquire, erect, construct, operate and maintain a gas plant, system, or both, and to import, transport, sell and distribute gas, whether natural, manufactured or mixed within the City and for these purposes to establish necessary facilities and equipment and to lay and maintain gas mains, service pipes and any other appurtenance necessary for the sale and distribution of gas in the City.
- (3) This Ordinance and the grant contained herein shall be void if Wisconsin discontinues its services and such discontinuance extends for a period of eighteen (18) months.

25.02 EASEMENTS

- (1) Wisconsin shall have an easement over City property to install its equipment and apparatus. The City does not purport by this ordinance to extend any easement or right of way across privately held property.
- (2) All pipes, mains and other natural, artificial or mixed gas equipment and apparatus laid or placed by Wisconsin shall be so located in the streets, alleys, public ways so as not to obstruct or otherwise interfere with any water pipes, sewers, drains or other structures of the City.
- (3) Whenever possible, Wisconsin shall avoid interfering with the use of any street, alley or other public way where the paving, resurfacing or restructuring of the street, alley or public way would be disturbed.

25.03 RELOCATION

- (1) If Wisconsin, by its operation, is required to disturb any pavement, sidewalk, street, alley, driveway or other surface, Wisconsin shall replace and restore such disturbed surface to a comparable condition.

- (2) Such replacement and restoration shall be at Wisconsin's cost and expense.
- (3) If the City is required by its operations to alter, modify or change the grade, composition or location of any street, alley or other public way, the City shall give notice to Wisconsin of such course of action. Wisconsin is then required, at their sole cost and expense, to make whatever modifications may be required as to their pipes, mains and other equipment and fixtures.

25.04 SERVICES AND RATES

Wisconsin shall render efficient service, charging fair and reasonable rates in accordance with the rules and regulations of the Public Service Commission of Wisconsin.

25.05 RULES AND REGULATIONS

- (1) Wisconsin has the power and authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable Wisconsin to exercise its rights and perform its obligations under this grant of authority.
- (2) Such rules and regulations shall be in accordance, and not inconsistent with, the requirements, rules and regulations of the Public Service Commission of Wisconsin.

25.06 INDEMNIFICATION

- (1) Wisconsin shall hold the City harmless from any action, claim, demand, execution, judgment or suit resulting from the operations and/or maintenance of its gas system within the City.
- (2) In the same manner, Wisconsin is required to hold the City harmless from any negligence on its part due to its operations and/or maintenance of its gas system.
- (3) The City is obligated to notify Wisconsin within a reasonable time if it is presented with any action, claim, demand, execution, judgment or suit resulting from the operations and/or maintenance of its gas system within the City.