

## ORDINANCE NO. 21

AN ORDINANCE GRANTING A FRANCHISE TO TRI-COUNTY ELECTRIC COOPERATIVE OF RUSHFORD, MINNESOTA, ITS SUCCESSORS AND ASSIGNS, TO ERECT, ENLARGE, OPERATE AND MAINTAIN IN THE VILLAGE OF STOCKTON, MINNESOTA, TRANSMISSION LINES AND ELECTRIC DISTRIBUTING SYSTEM, INCLUDING NECESSARY POLES, POLE LINES, MASTS, WIRES, AND FIXTURES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE VILLAGE AND ITS INHABITANTS, AND OTHERS, AND TRANSMITTING ELECTRIC ENERGY INTO AND THROUGH THE VILLAGE AND TO USE THE STREETS, ALLEYS, AND PUBLIC GROUNDS OF SAID VILLAGE FOR SUCH PURPOSE.

THE VILLAGE COUNCIL OF STOCKTON, MINNESOTA, DO ORDAIN, AS FOLLOWS:

### SECTION I. FRANCHISE GRANTED

That permission and authority be and hereby is granted for the period of twenty-five years from and after the acceptance of this franchise as herein provided to Tri-County Electric Cooperative of Rushford, Minnesota, a Minnesota corporation, its successors and assigns, (hereinafter called the "Cooperative") to acquire, erect, enlarge, operate, repair, relocate, and maintain in, upon and across the streets, highways, bridges, alleys, and public grounds of the Village of Stockton, Minnesota, electric transmission lines and an electric distributing system, including all necessary, usual or convenient poles, pole lines, masts, wires, lamps, transformers, and other equipment, fixtures and appurtenances usually, conveniently or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power, and other purposes for public and private use in and to said Village and its inhabitants, and others, and for the purpose of transmitting to and through said Village such electric energy.

### SECTION II. LIMITATIONS AND EXTENT OF GRANT.

The construction and maintenances of said lines shall be in accordance with the specifications of the National Electrical Safety Code. All poles, wires, conduits and appurtenances shall be constructed and maintained in such a manner as not to endanger persons or property, nor to interfere unreasonably with any improvements the Village may deem proper to make, nor to hinder or obstruct unnecessarily the free use of the public streets, alleys, highways, bridges, and public places.

### SECTION III. TREE TRIMMING

The Cooperative shall be permitted to trim trees whenever and wherever necessary for the safe and efficient operation of its electric distribution or transmission lines provided that such trimming is done under the supervision and direction of the council or its authorized representative.

### SECTION IV. CONFORMANCE TO RULES AND REGULATIONS.

The Cooperative will conform to and obey all reasonable rules and regulations prescribed by the council and with all ordinances now and in effect or which may hereafter be passed in so far as they do not conflict with the terms or purposes of the franchise herein granted.

SECTION V. EFFICIENT OPERATION AND EXTENSION.

The Cooperative shall, if Federal and state laws, rules and regulations permit, construct such extensions to the distribution lines within said Village which may be agreed upon by the Cooperative and the Village, to consumers who shall have complied with the membership requirements of the Cooperative.

SECTION VI. REPAIR.

Whenever the Cooperative in constructing or maintaining its poles, conduits or other appurtenances shall take up any pavement or make any excavation in the streets, alleys, or public places of said Village, the same shall be at once returned to their former condition in so far as it is practicable.

SECTION VII. RATES.

That the rates to be charged by the Cooperative, its successors and assigns, for electric energy sold within said Village shall be reasonable and shall not exceed cooperatives standard schedule of rates and minimum charges effective for and in communities of like size in adjoining territory which are similarly served and situated.

SECTION VIII. REPEALER.

All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IX.

This Ordinance shall be in full force and effect from and after its passage and approval, and the acceptance thereof by the Cooperative stated herein and filed with the Village Clerk within thirty (30) days thereafter.

ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1971

Attest: \_\_\_\_\_  
Clerk

Henry Connaughty  
Mayor

IN WITNESS WHEREOF: The Cooperative has caused these presents to be executed in its corporate name by its President and its corporate seal to be hereunto affixed this 23rd day of November 1971.

Floyd McK  
President of Tri-County Electric Co-Op

George F. Mathis  
Secretary of Tri-County Electric Co-Op