

CITY OF RIVER BLUFF
OLDHAM COUNTY, KENTUCKY
ORDINANCE NO. 3, SERIES 1988-89

AN ORDINANCE RELATING TO THE GRANTING OF A FRANCHISE TO LOUISVILLE GAS & ELECTRIC COMPANY TO CONSTRUCT, OPERATE AND MAINTAIN ELECTRIC AND GAS FACILITIES WITHIN THE CITY OF RIVER BLUFF.

WHEREAS, the City of River Bluff, Kentucky, has created a franchise to construct, reconstruct, operate, maintain, dismantle, test, repair and use electric and gas facilities in, along, across, or under, streets, public ways, or public places within the City of River Bluff, as now or in the future may exist, pursuant to Section 163 of the Kentucky Constitution and applicable statutes of the Commonwealth of Kentucky in the provisions of Ordinance No. 2, Series 1987-88; and

WHEREAS, in compliance with the above cited law and the publication requirements of KRS 424, the City of River Bluff has publicly advertised and received bids for the operation of the said electric and gas facilities franchise pursuant to the terms, restrictions and obligations established for the above cited franchise legislation; and

WHEREAS, the City of River Bluff has carefully examined and considered the applications for such a franchise and has heard and reviewed the said applications at a public meeting; and

WHEREAS, the City of River Bluff has found that Louisville Gas & Electric is the applicant presenting the best legal, character, financial, technical and other obligations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RIVER BLUFF:

Section 1. The City of River Bluff hereby grants and awards a nonexclusive twenty (20) year franchise to construct, operate and maintain electric and gas facilities within the City of River Bluff, Kentucky, as now or in the future may exist pursuant to the authority and provisions of

Ordinance No. 2, Series 1987-88, to Louisville Gas & Electric Company.

Section 2. The grant and award of the franchise set forth in Section 1 of this Ordinance is conditioned upon full compliance by Louisville Gas & Electric Company with all provisions of Ordinance No. 2, Series 1987-88, and with all other applicable provisions of law and is further based upon the terms, restrictions and obligations set forth in the Application for Franchise made to the City of River Bluff by Louisville Gas & Electric Company.

Section 3. Louisville Gas & Electric Company shall not be responsible for any delays in the construction of the said electric and gas facilities caused by strikes, blackouts, fires or other unavoidable delays beyond its control.

Section 4. Statements and inclusions set forth in the preamble of this Ordinance are hereby incorporated by reference as if fully set forth. Such statements and inclusions are hereby found and declared to be true, accurate and correct.

Section 5. If any section, sentence, clause or phrase of this Ordinance is held unconstitutional, or otherwise invalid, such section shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance and franchise.

First Reading 8/4/88

Second Reading 8/8/88

Passed and Approved this 8 day of Aug. 1988 by a vote of 4 ayes and 0 nays.