

ORDINANCE NO. 22-2978

AN ORDINANCE GRANTING CASCADE NATURAL GAS CORPORATION, A CORPORATION, ITS SUCCESSORS, GRANTEES AND ASSIGNS THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO INSTALL, CONSTRUCT, OPERATE, MAINTAIN, REMOVE, REPLACE, AND REPAIR NEW AND EXISTING PIPELINE FACILITIES, TOGETHER WITH EQUIPMENT AND APPURTENANCES THERETO, FOR THE TRANSPORTATION OF NATURAL GAS WITHIN AND THROUGH THE CITY OF BLAINE.

WHEREAS, Cascade Natural Gas Corporation (hereinafter "Grantee") has applied in writing to renew and update its nonexclusive Franchise to operate and maintain a natural gas pipeline system within and through the City of Blaine (hereinafter the "City"); and

WHEREAS, state statutes and City ordinances authorize the City to grant nonexclusive Franchises;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1: The City approves the Franchise Agreement attached hereto with Cascade Natural Gas Corporation, for a term of ten (10) years, with possible renewal for another ten (10) years as provided for in the Franchise Agreement.

Section 2: Entire Franchise. The Franchise Agreement attached hereto as "Exhibit A" constitutes the entire understanding and agreement between the parties as to the subject matter herein and no other agreements or understandings or prior agreements including prior Franchise Agreements written or otherwise shall be binding upon the parties upon execution of this Franchise Agreement.

Section 3: Acceptance. Within thirty (30) days after the passage and approval of this Ordinance this Franchise Agreement must be accepted by Grantee by its filing with the City Clerk an unconditional written acceptance thereof. Failure of the Grantee to so accept this Franchise Agreement within said period of time shall be deemed a rejection thereof and the existing Franchise Agreement shall be deemed to have expired without renewal and thereafter to be null and void and the rights and privileges herein granted shall after the expiration of the thirty (30) day period absolutely cease and desist unless the time period is extended by ordinance duly passed for that purpose.

Section 4: Effective Date. This Ordinance being an exercise of a power specifically delegated to the City legislative body shall take effect five (5) days after passage and publication of a summary thereof consisting of the Title to this Ordinance.

PASSED BY CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON this ____ day of _____, 2022, and approved by the Mayor on the same day.

CITY OF BLAINE, WASHINGTON

Mary Lou Steward, Mayor

ATTEST/AUTHENTICATE:

Samuel Crawford, City Clerk