

ORDINANCE NO. 81-102

AN ORDINANCE AMENDING AND CHANGING A FRANCHISE ORDINANCE ENACTED BY THE CITY OF DE LEON, COMANCHE COUNTY, TEXAS, ON DECEMBER 8th, 1970 AND BEING PARTLY STYLED, "AN ORDINANCE GRANTING TO LONE STAR GAS COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF DE LEON, COMANCHE COUNTY, TEXAS"; AND PROVIDING FOR A MODIFICATION OF THE DEFINITION OF THE TERMS "SERVICE LINES" AND "YARD LINES" REFERENCED IN SECTION 4 THEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DE LEON, TEXAS:

SECTION 1. As of the effective date of this amendatory ordinance, and upon acceptance by Lone Star Gas Company of the provisions hereof, Section 4 of the aforesaid captioned franchise ordinance enacted on December 8th, 1970, shall be stricken, cancelled and nullified and there shall be substituted in lieu thereof a new provision reading as follows:

"SECTION 4. In addition to the rates charged for gas supplied, Company may make and enforce reasonable charges, rules and regulations for service rendered in the conduct of its business including a charge for services rendered in the inauguration of natural gas service, and may require, before furnishing service, the execution of a contract therefor. Company shall have the right to contract with each customer with reference to the installation of, and payment for, any and all of the gas piping from the connection thereof with the Company's main in the streets or alleys to and throughout the consumer's premises. Company shall own, operate and maintain all service lines, which are defined as the supply lines extending from the Company's main to the customer's meter where gas is measured by Company. The consumer shall own, operate, and maintain all yard lines and house piping. Yard lines are defined as the underground supply lines extending from the point of connection with Company's customer meter to the point of connection with consumer's house piping."

SECTION 2. Enactment of this amendatory ordinance shall in no way ever be construed so as to diminish or impair any consumer's ownership interest in service lines (or portions thereof) installed prior to the effective date of this amendatory ordinance.

SECTION 3. The terms and provisions of this amendatory ordinance shall be deemed to be severable, and if the validity

of any section, sentence, clause or phrase of this amendatory ordinance should be declared to be invalid, the same shall not affect the validity of any other section, sentence, clause or phrase of this amendatory ordinance.

SECTION 4. Except as heretofore and hereinabove changed and amended, the terms, provisions, conditions and requirements of the aforesaid franchise ordinance shall remain in full force and effect.

SECTION 5. This amendatory ordinance shall become effective as of May 28, 1981 if the Company files its written acceptance of the provisions of this ordinance within sixty (60) days after its final passage and approval by this City and upon acceptance, the provisions hereof shall be binding upon City and Company, their successors and assigns.

PASSED AND APPROVED on this the 13th day of April, 1981.

FINALLY PASSED AND APPROVED on second reading on this the 28th day of April, 1981.

ATTEST:

Odell M. Kinney
City Secretary

Doyle S. ...
Mayor
City of DeLeon, Texas

STATE OF TEXAS

X

COUNTY OF COMANCHE

X

I, Odell McKinney, City Secretary of the City of DeLeon, Comanche County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an amendatory ordinance passed by the City Commission on first reading on the 13th day of April, 1981, and was finally passed and approved by the City Commission on second and final reading on the 28th day of April, 1981, as it appears of record in the Minutes of the City of De Leon, Texas in Book 6, page 1145.

WITNESS MY HAND AND SEAL OF SAID CITY, this the 28th day of April, A.D. 1981.

Odell McKinney
City Secretary

City of DeLeon, Texas

A M E N D M E N T

AN ORDINANCE REGULATING PUBLIC RECREATIONAL CENTERS;
REQUIRING A PERMIT TO OPERATE PUBLIC RECREATIONAL
CENTERS; AND FIXING A PENALTY FOR ITS VIOLATION; AND
DECLARING AN EMERGENCY

BE IT RESOLVED by the City Council of the City of De Leon
that Ordinance 78-100 is hereby amended in accordance with
the following:

Revise last part of Section II to read "Opening Sunday
afternoon 1 P. M. to 5 P. M."

Passed and Approved this 26th day of May 1981.



Doyle Smith, Mayor

ATTEST:



Odell McKinney, Sec'y