

BILL NO. 81

ORDINANCE NO. 12

A BILL ENTITLED "AN ORDINANCE TO AMEND ORDINANCE #25, (TWENTY-FIVE), ADDING SECTION IX REGARDING ROLLBACK OF GROSS UTILITY TAX CONTINGENT UPON STATE LAW (393.275 RSMo, SUPPLEMENT 1984), WHICH REQUIRES ALL CITIES TO COMPLY WHEN RATE INCREASES EXCEED 7 %, AND DATE WHEN ORDINANCE WILL BECOME EFFECTIVE".

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LEADINGTON, MISSOURI AS FOLLOWS:

SECTION IX. The Gross Receipts tax of 5% levied upon the Union Electric Utility will be reduced to 4.5% in compliance with State law (393.275 RSMo, Supplement 1984), stating that... all cities must reduce their Gross Receipts tax on Utilities granted a rate increase exceeding 7%, by the Public Service Commission.

This Ordinance shall be in full effect after the date of its passage.

READ THIS THIRD TIME AND PASSED THIS 19<sup>th</sup> DAY OF July 1985.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED THIS 19<sup>th</sup> DAY OF \_\_\_\_\_, 1985.

  
CITY CLERK

  
MAYOR

1-31-77  
LARRY BARNES ✓

Bill Oberle  
received from City

1-28-77

LEADINGTON

BILL NO. 19

ORDINANCE NO. 23

A BILL ENTITLED "AN ORDINANCE ESTABLISHING A LICENSE TAX FOR GAS SERVICE, SETTING THE RATE THEREFOR AND SETTING PENALTIES FOR VIOLATION THEREOF."

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LEADINGTON, MISSOURI AS FOLLOWS:

LICENSE TAX FOR GAS SERVICE

SECTION I. DEFINITION:

The word "person", when used in this chapter, shall include any individual, firm, co-partnership, joint partnership, joint adventure, association, corporation, estate, business trust, trustee, receiver, syndicate or any other group or combination acting as a unit, in the plural as well as in the singular number.

SECTION II. LICENSE REQUIRED:

No person shall carry on, conduct or engage in the business of supplying gas for cooking, heating, lighting and power purposes, for compensation, in this City, without having first obtained a license to do so.

SECTION III. LICENSE TAX:

Every person who, after the first day of February, 1977, shall carry on, conduct or engage in the business of supplying gas for cooking, heating, lighting and power purposes for compensation, in this City, shall pay to said City, as a license tax, a sum equal to five per centum (5%) of the gross receipts from such business in said City, to be determined as hereinafter provided, during the period for which such license shall be obtained.

SECTION IV. APPLICATION FOR LICENSE:

Every person shall, on or before the 1st day of February, 1977, and thereafter on or before the first day of each succeeding July and January, file with this City an application, in writing for a license to conduct such business in said City for a period ending on the 1st day of July and on the 1st day of January, then next following, as the case may be. Such application shall be made in a form to be prescribed by the City Clerk.

At the time such application shall be made to the City Clerk, the applicant shall pay to the City Collector of said City, before

the issuance of the license as provided herein, the sum of Five Hundred Dollars (\$500.00). Upon payment thereof, the City Clerk shall issue to such person a license entitling such person to carry on or conduct said business in said City for a period ending on the 1st day of July, or on the 1st day of January, next following, as the case may be.

On or before the 20th day following the date upon which any such license shall expire, the person holding a license to carry on, conduct or engage in the business of supplying gas for cooking, heating, lighting and power purposes, for compensation, in the said City, shall file with the City Clerk a sworn statement setting forth the gross receipts from such business in said City for and during the period within which such license was in effect.

If in any case such sworn statement shall show that such person has paid a license tax hereunder, based upon an estimate theretofore filed, which is in an amount less than the amount of such tax based upon the sworn statement of actual gross receipts, then such person shall, at the time of filing such sworn statement, pay or cause to be paid to the City Collector of said City, the balance due as shown by such sworn statement.

If in any case such sworn statement shall show that such person has paid a license tax hereunder, based upon an estimate theretofore filed, which is in excess of the amount of such tax based upon the sworn statement of actual gross receipts then the City shall refund to such person a sum equal to such excess, as shown by such sworn statement.

#### SECTION V. ACCESS TO RECORDS:

The City Clerk, or any other person authorized to the Board of Aldermen shall have free access to all reasonable times to the books and records of any person carrying on, conducting or engaging in the business described in this chapter, for the purpose of verifying the correctness and accuracy of the statement required to be made by the provisions of Section IV hereof.

#### SECTION VI. FAILURE TO COMPLY WITH CHAPTER, PENALTY:

Every such person who shall fail, neglect or refuse to apply for license, or who shall fail, neglect or refuse to pay the license tax herein provided for, or who shall fail, neglect or refuse to file the sworn statement under the provisions of this chapter, or who shall interfere with the City Clerk or other person delegated by the Board of Aldermen of the City in the performance of any of the duties herein provided for, shall be guilty of a misdemeanor and, upon conviction thereof,

shall be fined not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and each day of such failure, neglect or refusal in any such case, shall constitute a separate offense.

SECTION VII. REVOCATION OF LICENSE:

In addition to the penalties herein provided, the license of any person who shall have been convicted of violating any of the provisions of this chapter may, at the option of the Board of Aldermen of the City, be revoked by said Board of Aldermen without notice.

SECTION VIII. TAX IN LIEU OF OCCUPATIONAL TAX:

That the tax herein levied shall be in lieu of any other occupational tax required of any person engaged in any of the businesses described in Section II of this chapter, but nothing herein contained shall be construed to exempt any such person from the payment to the City of the tax which said City may now or hereafter levy upon the real or personal property belonging to such person, nor any tax required for the sale of anything other than gas, nor shall the tax herein required exempt any such person from the payment of any other tax which may be lawfully required other than an occupational tax on the business described herein.

READ THIS THIRD TIME AND PASSED THIS 28 DAY OF December 1976.

George C. Dush  
Mayor

ATTEST:

E. Grace McCree  
City Clerk

Approved this 28 day of December 1976.

E. Grace McCree  
City Clerk

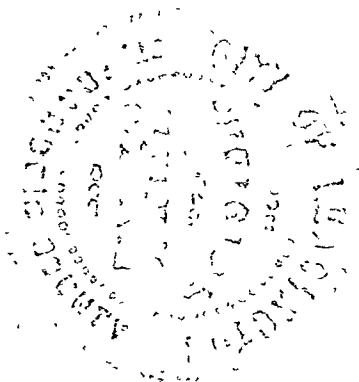
George C. Dush  
Mayor

State of Missouri )  
County of St. Francois ) ss.  
City of Leadington )

I, E. Grace McCrorey, Clerk of the City of Leadington, hereby certify the above and foregoing to be a true copy of Ordinance No. 23 of the City of Leadington, as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said City in my office in Leadington, Missouri, this the 25 day of January, 19 77.

E. Grace McCrorey  
City Clerk



BILL NO. \_\_\_\_\_

ORDINANCE NO. 263-07

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION D/B/A MISSOURI NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, UNDERGROUND VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF LEADWOOD, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF LEADWOOD, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri d/b/a Missouri Natural Gas Company (hereinafter sometimes called "Missouri Natural"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, underground vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Leadwood, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Leadwood, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Missouri Natural, its successors or assigns, in the City of Leadwood, shall be made in accordance with the rules and regulations governing such extensions and additions by Missouri Natural now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and



additions by Missouri Natural, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The said Missouri Natural Gas Company shall hold said City of Leadwood harmless from all liability imposed upon it on account of injury or damage to person or property caused by said Missouri Natural Gas Company in the course of or in connection with any construction, reconstruction, excavation, placing, maintenance, operation or use of mains, service pipes, conductors or other equipment in, along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City of Leadwood in exercise of any of the rights and privileges conferred by this ordinance.

Section 4. The rights, privileges and authority hereby granted shall inure to and be vested in Missouri Natural, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Missouri Natural shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 5. Missouri Natural shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Leadwood, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date.

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Missouri Natural, its successors or assigns, may have independently of this ordinance; nor shall any use by Missouri Natural, its successors or assigns, of public property or places in the City of Leadwood, as authorized by this ordinance or service rendered by Missouri Natural, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Missouri Natural, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Missouri Natural of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Missouri Natural to obtain written permits or other approval from the City prior to

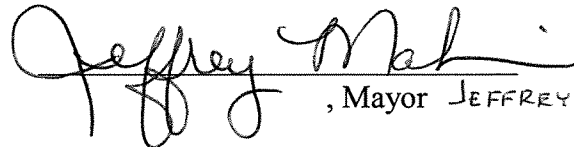
commencement of construction of facilities within the streets thereof, except Missouri Natural shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.


Section 10. The rights, privileges and authority hereby granted shall inure to and be vested in Missouri Natural Gas Company, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Missouri Natural shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 11. As consideration for the rights and privileges conferred by this ordinance, Missouri Natural shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

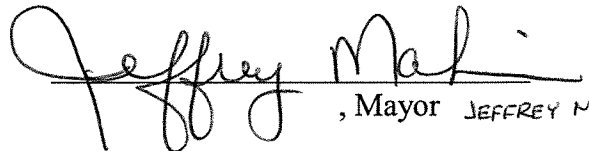
Duly read and passed this 1<sup>st</sup> day of March, 2007.

  
\_\_\_\_\_, Mayor JEFFREY MAHURIN

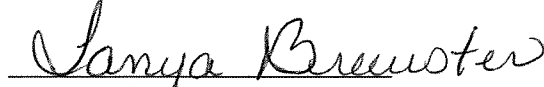
ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved this 1<sup>st</sup> day of March, 2007.

  
\_\_\_\_\_, Mayor JEFFREY MAHURIN

ATTEST:

  
\_\_\_\_\_  
City Clerk





City of Manchester  
14318 Manchester Road  
Manchester, Missouri 63011

(636) 227-1385

November 20, 2013

Laclede Gas Company  
720 Olive Street  
St. Louis, MO 63101

Re: Gross Receipts Tax Rate

To Whom It May Concern:

The City of Manchester, per Ordinance No. 13-2062 (copy attached), will adjust its utility gross receipts tax from businesses engaged in the sale or distribution of natural gas, telecommunications access, electricity, and water in the City of Manchester from four percent (4%) to five percent (5%) effective January 1, 2014.

It is our request that your billing department adjust your City of Manchester customer account records effective January 1, 2014 to reflect a five percent (5%) City gross receipts tax rate on each customer invoice.

Should you have any questions or comments, please contact me.

Sincerely,

David Tuberty  
Director of Finance

Cc: Andy Hixson, City Administrator  
Patrick R. Gunn, City Attorney  
Ruth Baker, City Clerk



I, Ruth E. Baker, duly appointed City Clerk for the City of Manchester, County of St. Louis, State of Missouri, hereby certify that the attached Ordinance No. 13-2062 is a true and correct copy of the original document taken from the permanent records of the City of Manchester.

CERTIFIED THIS 20th DAY OF November, 2013.

CITY OF MANCHESTER

By: [Signature]  
Ruth E. Baker  
City Clerk

STATE OF MISSOURI     )  
  ) ss:  
COUNTY OF ST. LOUIS    )

On this 20th day of November, 2013, Ruth E. Baker personally appeared before me.

[Signature]  
Notary Public

My term expires:



K. MILLER  
My Commission Expires  
September 9, 2017  
St. Louis County  
Commission #13524397

INTRODUCED BY ALDERMAN CLEMENT

BILL NO. 13- 2179

ORDINANCE NO. 13-2062

AN ORDINANCE ESTABLISHING THE UTILITY GROSS RECEIPTS TAX IN THE CITY OF MANCHESTER, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: Effective on and after January 1, 2014, the utility gross receipts tax rates established in Section 140.080 A, B, D, and E of the Code of Ordinances of the City of Manchester shall, from and after that date, be five percent (5%) of the gross receipts from businesses engaged in the sale or distribution of natural gas, telecommunications access, electricity, and water.

Section Two: As part of the City's budgetary process, the utility tax rates established herein shall be re-evaluated annually.

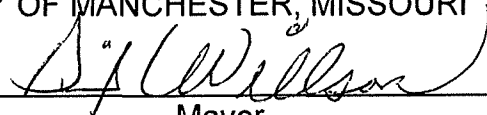
Section Three: Nothing in this Ordinance shall affect the remaining provisions of Article 3 of Chapter 140 of the Code of Ordinances of the City of Manchester, and such remaining provisions are hereby ratified and affirmed.

Section Four: This Ordinance shall be in full force and effect from and after January 1, 2014.

PASSED AND APPROVED THIS 18TH DAY OF NOVEMBER, 2013.

CITY OF MANCHESTER, MISSOURI

By

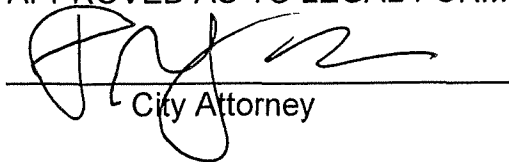


Mayor

ATTEST:

  
City Clerk

APPROVED AS TO LEGAL FORM:

  
City Attorney

INTRODUCED BY ALDERMAN DIEHL

BILL NO. 07-1908

ORDINANCE NO. 07- 1816

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AN ORDINANCE REDUCING THE UTILITY GROSS RECEIPTS TAX IN THE CITY OF MANCHESTER, MISSOURI.

WHEREAS, Section 140.080 of the Code of Ordinances of the City of Manchester currently establishes utility gross receipts tax rates for businesses engaged in the sale or distribution of natural gas, telecommunications access, electricity, and water;

WHEREAS, the Board of Aldermen has determined it appropriate, once certain conditions have been met, that such utility gross receipts tax rates should be reduced.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: Effective on and after the first day of January of the year immediately following the last to open of the Costco, Wal-Mart Supercenter, and Best Buy in Manchester Highlands, the utility gross receipts tax rates established in Section 140.080 A, B, D, and E of the Code of Ordinances shall, from and after that date, be four percent (4%) of the gross receipts from businesses engaged in the sale or distribution of natural gas, telecommunications access, electricity, and water.

Section Two: As part of the City's budgetary process, the utility tax rates established herein shall be re-evaluated annually.

Section Three: Nothing in this Ordinance shall affect the remaining provisions of Article 3 of Chapter 140 of the Code of Ordinances of the City of Manchester, and such remaining provisions are hereby ratified and affirmed.

Section Four: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law, **subject to** the provisions of Section One above relating to the effective date of the reduction in the City's utility gross receipts tax rates.

PASSED AND APPROVED THIS 4<sup>th</sup> DAY OF September, 2007.

CITY OF MANCHESTER, MISSOURI

By

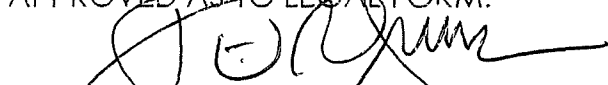
Mayor



ATTEST:

  
City Clerk

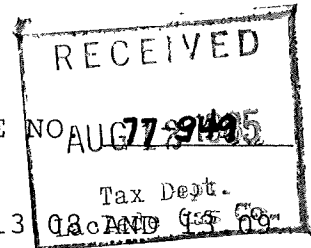
APPROVED AS TO LEGAL FORM:

  
City Attorney

INTRODUCED BY Alderman Rogers

BILL NO. 77-1033

ORDINANCE NO. 77-9495



AN ORDINANCE REPEALING SECTIONS 13.01, 13.02, 13.06, 13.08 AND 13.09 OF THE CODIFIED ORDINANCES OF THE CITY OF MANCHESTER AND FURTHER IMPOSING A LICENSE TAX ON CERTAIN BUSINESSES OPERATING IN THE CITY OF MANCHESTER.

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BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI, AS FOLLOWS:

Section One: Sections 13.01, 13.02, 13.06, 13.08 and 13.09 of the Codified Ordinances of the City of Manchester are hereby repealed in their entirety.

Section Two: The term "gross receipts" as used in this ordinance means the aggregate amount of all sales and charges during any period for which payment is due less credits, allowances, refunds, sales tax and uncollectible accounts actually charged off during said payment period.

Section Three: Pursuant to the Statutes of the State of Missouri, including Section 94.270 of the Revised Statutes of Missouri, 1969, as amended, every person, firm or corporation now or hereafter engaged in the business of selling or distributing natural, artificial or mixed natural and artificial gas for heating, lighting, power, or refrigeration in the City of Manchester shall pay as an annual license tax a sum equal to five (5%) percent of the gross receipts from such business conducted in the City of Manchester each year.

Section Four: Pursuant to the Statutes of the State of Missouri, including Section 94.270 of the Revised Statutes of Missouri, 1969, as amended, every person, firm or corporation now or hereafter engaged in the business of supplying or furnishing

telephone or telephone service in the City of Manchester shall pay as an annual license tax a sum equal to five (5%) percent of the gross receipts from such business conducted in the City of Manchester each year.

Section Five: Pursuant to the Statutes of the State of Missouri, including Section 94.270 of the Revised Statutes of Missouri, 1969, as amended, every person, firm or corporation now or hereafter engaged in the business of supplying sewer service in the City of Manchester shall pay as an annual license tax a sum equal to five (5%) percent of the gross receipts from such business conducted in the City of Manchester each year.

Section Six: Pursuant to the Statutes of the State of Missouri, including Section 94.270 of the Revised Statutes of Missouri, 1969, as amended, every person, firm or corporation now or hereafter engaged in the business of furnishing and distributing electricity for light, heat, power and other purposes in the City of Manchester shall pay as an annual license tax a sum equal to five (5%) percent of the gross receipts from such business conducted in the City of Manchester each year.

Section Seven: Pursuant to the Statutes of the State of Missouri, including Section 94.270 of the Revised Statutes of Missouri, 1969, as amended, every person, firm or corporation now or hereafter engaged in the business of supplying or furnishing water or water service in the City of Manchester shall pay as an annual license tax a sum equal to five (5%) percent of the gross receipts from such business conducted in the City of Manchester each year.



Section Eight: Any person, firm or corporation now or hereafter engaged in any business hereinbefore set forth in the City of Manchester shall file with the City Administrator/Clerk within sixty (60) days of the close of its tax year, a sworn statement showing the gross receipts derived from the transaction of such business in the City of Manchester from the 1st day of January, 1977, to the 31st day of December, 1977, and simultaneously pay to the City Administrator/Clerk the tax required by this ordinance. Each said person, firm or corporation shall, on or before the 28th day of February, 1978, and on the last day of each month thereafter file a statement with the City Administrator/Clerk showing the gross receipts derived from the transaction of business in the City of Manchester during the preceding month, and simultaneously pay to the City Administrator/Clerk the tax required by the terms of this ordinance for said preceding month. In addition, the City Administrator/Clerk may require of any person, firm or corporation now or hereafter engaged in any business hereinbefore set forth in the City of Manchester any additional proof of the actual gross receipts derived from the transaction of business in the City of Manchester for any calendar year and, if different from the monthly statements provided for above, simultaneously pay to the City Administrator/Clerk the additional tax required for the preceding calendar year.

Section Nine: Any person, firm or corporation engaged in any business hereinbefore set forth within the City of Manchester making any payment of a license or occupational tax to the City under any ordinance or contract pursuant thereto heretofore enacted shall re-

ceive credit for such payments on the tax set forth herein. The credit provided for in this section shall not apply, however, to the payment to the City of Manchester of any tax which the City of Manchester levies upon any real or personal property belonging to any such person, firm or corporation.

Section Ten: The City Administrator/Clerk and such other persons as may be designated by the Board of Aldermen from time to time is and are hereby authorized to investigate the correctness and accuracy of the statement so filed and for that purpose shall have access at all reasonable times to the books, documents, papers and records of any person, firm or corporation making such return in order to ascertain the accuracy thereof.

Section Eleven: Any person, firm or corporation subject to the provisions of this ordinance which conducts any business herein mentioned without knowingly and intentionally complying with the requirements and provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than \$100 and not more than \$500 for each offense. Each day of such operation in violation of this ordinance shall constitute a separate offense. Nothing contained herein shall in any way affect the right of the City of Manchester to pursue any civil remedies for collection of amounts owed hereunder.

Section Twelve: If any section, part or provision of this ordinance shall be found to be unconstitutional, invalid or unenforceable, for any reason, it shall not effect the constitutionality, validity or enforceability of any other section, part or provision hereof.

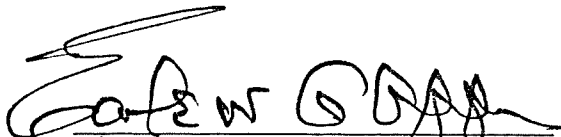
Section Thirteen: In addition to the repeal of those sections of the Codified Ordinances referred to in Section One above, the provisions of any other ordinance currently in effect in the City of Manchester which conflict herewith are hereby repealed.

Section Fourteen: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 19th DAY OF DECEMBER, 1977.

  
\_\_\_\_\_  
Mayor

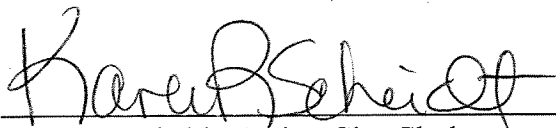
ATTEST:

  
\_\_\_\_\_  
City Administrator/Clerk

STATE OF MISSOURI )  
CITY OF MAPLEWOOD ) SS  
COUNTY OF ST. LOUIS )

I, Karen R. Scheidt, Acting City Clerk within and for the City of Maplewood, St. Louis County, Missouri, do hereby certify that the following document consisting of three (3) pages constitutes a full, true and complete copy of **ORDINANCE NO. 5509 - AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE PUBLIC STREETS, ROADS, ALLEYS, SIDEWALKS AND BRIDGES IN THE CITY OF MAPLEWOOD, MISSOURI, AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH** - fully as the same appears and remains of record in my office in the City of Maplewood, Missouri, on this 13<sup>th</sup> day of May, 2009.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the City of Maplewood, Missouri, at my office in said City this 13<sup>th</sup> day of May, 2009.



Karen R. Scheidt, Acting City Clerk

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE PUBLIC STREETS, ROADS, ALLEYS, SIDEWALKS AND BRIDGES IN THE CITY OF MAPLEWOOD, MISSOURI, AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the public streets, roads, alleys, sidewalks and bridges within the corporate limits of the City of Maplewood, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Maplewood, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the public streets, roads, alleys, sidewalks, bridges and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers; including but not limited to the regulation of unreasonable or unnecessary obstruction of, and the control and maintenance of, the public streets, roads, alleys, sidewalks and bridges of the City.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Maplewood, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. Laclede shall:

(a) hold said City of Maplewood harmless from all liability imposed upon it on account of injury or damage to person or property caused by Laclede in the course of or in connection with any construction, reconstruction, excavation, placing, maintenance, operation or use of mains, service pipes, conduits, conductors or other equipment in, along, across, over or under any of the public streets, roads, alleys, sidewalks and bridges in the City of Maplewood in the exercise of any of the rights and privileges conferred by this ordinance;

(b) prior to the exercise of the authority herein granted, the provisions of any other ordinance to the contrary notwithstanding, furnish the City a bond in an amount not to exceed Ten Thousand Dollars (\$10,000.00) to assure the performance of work done in the exercise of the authority herein granted within the City of Maplewood, in accordance with the lawful regulation by the City in the exercise of its police powers; provided, however, that such bond shall not be required as long as and to the extent that Laclede is exempted from the requirement of furnishing such bond by the provisions of Mo. Rev. Stat. § 67.1830(6)(a), by Laclede maintaining twenty-five million dollars in net assets unless the City of Maplewood reasonably has determined that Laclede has a history of noncompliance with its obligations hereunder.

Section 4. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 5. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 6. Laclede shall within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Maplewood; provided, however, that if such acceptance be not so filed within said period of sixty (60) days, all rights privileges and authority herein granted shall become null and void. This ordinance, upon its enactment and its acceptance by Laclede in accordance with this section, shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the 14<sup>th</sup> day of April, 2009.

Section 7. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Maplewood, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 6 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

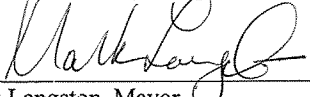
Section 8. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall not relieve Laclede of the obligation to comply with §§ 28-21 through 28-27 of the City of Maplewood Code of Ordinances, or any other ordinances now existing or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencing the construction or replacement of facilities within the streets thereof, except that Laclede shall not be required to obtain permits or other approval from the City for the ordinary maintenance and repair of its facilities.

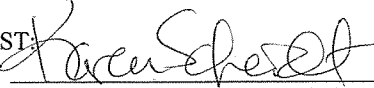
Section 10. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section 11. This ordinance shall take effect, and the rights, privileges and authority hereby granted and renewed shall vest in Laclede upon the later of fifteen days after passage and approval or the filing of Laclede's written acceptance.

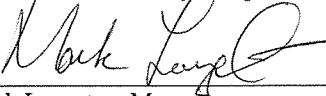
Passed this 14<sup>th</sup> day of April, 2009

  
\_\_\_\_\_  
Mark Langston, Mayor

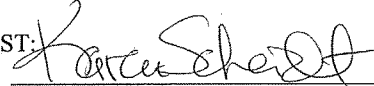
ATTEST:

  
\_\_\_\_\_  
Karen Scheidt, Acting City Clerk

Approved this 14<sup>th</sup> day of April, 2009.

  
\_\_\_\_\_  
Mark Langston, Mayor

ATTEST:

  
\_\_\_\_\_  
Karen Scheidt, Acting City Clerk



Sponsored By: Finance and Administration Committee

BILL NO. 767

ORDINANCE NO. 92-734

AN ORDINANCE TO MAINTAIN THE GROSS RECEIPTS TAX  
IMPOSED UPON LACLEDE GAS COMPANY

WHEREAS, the City has been notified by the Missouri Public Service Commission under the authority of Section 393.275 RSMo that Laclede Gas Company has received a tariff increase in excess of 7 percent effective October 9, 1992; and

WHEREAS, it is necessary for the continued operation of the City that the municipal gross receipts tax upon said company be maintained at its present rate;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYLAND HEIGHTS, MISSOURI, AS FOLLOWS:

Section 1: That the City of Maryland Heights, in order to maintain its sources of revenue at its historical level, hereby determines to maintain the five and one-half percent (5.5%) gross receipts tax against the Laclede Gas Company.

Section 2: The City Clerk is hereby directed to send a copy of this Ordinance to Laclede Gas Company and to the Public Service Commission.

Section 3: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL THIS 19TH DAY OF NOVEMBER, 1992.

John T. Sapp Jr.  
MAYOR/PRESIDING OFFICER

APPROVED BY THE MAYOR THIS 24<sup>th</sup> DAY OF NOVEMBER, 1992.

John T. Sapp Jr.  
MAYOR

ATTEST:

Carol S. Turner  
CITY CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
CITY ATTORNEY





**City of Maryland Heights**

212 Millwell Drive, Maryland Heights, MO 63043 (314) 291-6550

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**CITY OF MARYLAND HEIGHTS**


**CERTIFICATION OF ORDINANCE 92-734**

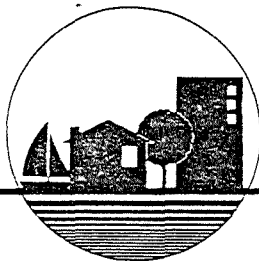
**AN ORDINANCE TO MAINTAIN THE GROSS RECEIPTS TAX  
IMPOSED UPON LACLEDE GAS COMPANY**

STATE OF MISSOURI     )  
  ) SS.  
COUNTY OF ST. LOUIS    )

I, Carol S. Turner, being the duly appointed City Clerk within the City of Maryland Heights, in the County and State aforesaid, hereby certify that the attached constitutes a full, true, and correct copy of Ordinance 92-734, passed by the City Council and approved by the Mayor, as the same appears on record within the City of Maryland Heights.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Maryland Heights, Missouri, this 2nd day of December, 1992.

  
\_\_\_\_\_  
City Clerk



City of Maryland Heights

212 Millwell Drive • Maryland Heights • MO 63043 (314)291-6550

February 10, 1987

Mr. Lawrence J. Bannes  
Asst. General Counsel  
Laclede Gas Company  
720 Olive Street  
St. Louis, MO 63101

Dear Mr. Bannes:

Reference: Gross Receipts Utility Companies - 5 ½%

Enclosed is a certified copy of Ordinance 87-302 raising the City tax levy on gross receipts of utility companies to 5 ½%, effective March 1, 1987.

If you need any further information, please call myself or Mark Levin, our City Administrator.

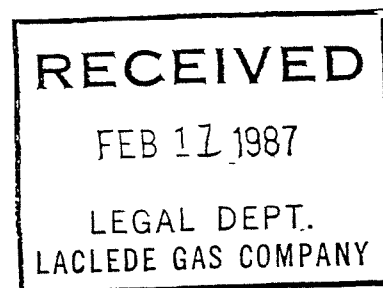
Sincerely,

Carol S. Turner  
City Clerk

CITY OF MARYLAND HEIGHTS

/ct

Enclosure



CERTIFICATION OF ORDINANCE  
OF THE  
CITY OF MARYLAND HEIGHTS

STATE OF MISSOURI        )  
                                  )SS  
COUNTY OF ST. LOUIS    )

I, Carol S. Turner, being the duly appointed City Clerk within the City of Maryland Heights in the County and State aforesaid, hereby certify that the foregoing constitutes a full, true, and correct copy of Bill No. 329, Ordinance No. 87-302, of said City, as the same appears on record in the Ordinance above of the City of Maryland Heights.

IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY  
HAND AND AFFIXED THE OFFICIAL SEAL OF THE CITY  
OF MARYLAND HEIGHTS, MISSOURI,

THIS 9th DAY OF February, 1987.

Carol S. Turner  
City Clerk

BILL NO. 329

ORDINANCE NO. 87-302

AN ORDINANCE REPEALING SECTION 1 OF ORDINANCE NO. 9  
ACKNOWLEDGING THE LEVY OF A TAX OF 5% OF GROSS RECEIPTS  
OF UTILITY COMPANIES AND ENACTING A NEW SECTION  
RAISING THE LEVY OF THE TAX TO 5 ½%  
(FIVE AND ONE-HALF PERCENT)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYLAND  
HEIGHTS, AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 9 is hereby repealed;  
so far as it sets the levy of 5% (five percent) of the gross  
receipts of utility companies within the City of Maryland  
Heights.

Section 2. A new Section 1 is enacted in lieu thereof  
to read as follows:

SECTION 1. The City of Maryland Heights shall  
collect a license tax of 5 ½% (five and one-half percent)  
on the gross receipts of companies engaged in the business  
of supply or furnishing electricity, electrical power,  
electrical service, gas, gas service, water, water service,  
telegraph service or exchange telephone service, within  
the boundaries of the City of Maryland Heights.

Section 3. This Ordinance shall be in full force and  
effect from and after March 1, 1987.

PASSED THIS 5th DAY OF February, 1987.

APPROVED THIS 6th DAY OF February, 1987.

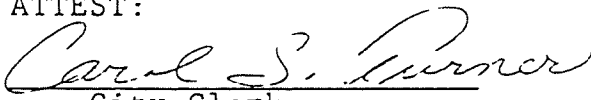
APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

AN ORDINANCE AUTHORIZING AN AGREEMENT  
WITH LACLEDE GAS CO., UNION ELECTRIC  
CO., SOUTHWESTERN BELL TELEPHONE CO.  
AND ST. LOUIS COUNTY WATER CO. AND  
AUTHORIZING AND DIRECTING THE MAYOR  
TO EXECUTE SAID AGREEMENT ON BEHALF  
OF THE CITY

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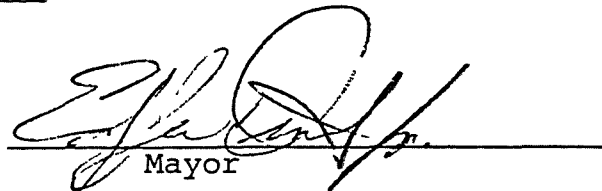
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYLAND  
HEIGHTS AS FOLLOWS:

Section 1: There is hereby approved an agreement with  
Laclede Gas Co., Union Electric Co., Southwestern Bell Telephone  
Co. and St. Louis County Water Co. regarding payment of the license  
tax levied by the City on the gross receipts of the utility com-  
panies. A copy of the agreement is attached hereto.

Section 2: The Mayor is hereby authorized and directed to  
execute said agreement on behalf of the City.

Section 3: This ordinance shall be in full force and effect  
from and after its passage and approval as provided by law.

Passed and approved this 6th day of February, 1986.

  
Mayor

ATTEST:

  
Carol S. Turner  
City Clerk

MINUTES OF SPECIAL MEETING  
CITY COUNCIL  
CITY OF MARYLAND HEIGHTS  
ST. LOUIS COUNTY, MISSOURI

Monday, January 27, 1986  
7:30 p.m.

Call to Order

A special meeting of the City Council of the City of Maryland Heights was held at 7:30 p.m. on Monday, January 27, 1986, at City Hall. Mayor Edwin L. Dirck presided and called the meeting to order.

Council Members Present

Council Members Absent

Councilwoman Barnett  
Councilman Cool  
Councilman Cruise  
Councilman Eise  
Councilman Goldfarb  
Councilman Pavelec  
Councilman Pellet

Councilman Hawkins

Also present were M. Levin, City Administrator; Howard Paperner, City Attorney; and M. Hayden, Deputy City Clerk.

The Chair stated it was the purpose of this meeting to discuss the revised plans which would save money for the remodeling of City Hall, 212 Millwell.

Councilman Cool requested that the records show that he abstained from discussion and vote.

City Hall

M. Levin reviewed with the council all changes made in the proposed plans.

Discussion followed.

Motion made by Councilman Pavelec, seconded by Councilman Pellet to approve proposed Resolution 86-52 authorizing Kuhlmann Design Group to develop final drawings and specifications for the competitive bidding of the remodeling of 212 Millwell and that upon



completion of the authorized specifications and related bid documents, the remodeling be open to bidding by all prequalified interested contractors in accordance with AIA procedures.

M. Levin stated that at Council's request, quotes had been received from three appraisers on cost of building appraisal; the lowest bid was \$1,500.

Change in specification cost from \$12,000 to \$22,000 was discussed; reason being change from design/build specs to competitive bid specs.

After further discussion, Motion carried.

Recess

Mayor Dirck stated the meeting would recess for executive session.

Time of recess - 8:00 p.m.

Regular order of business resumed - 8:20 p.m.

Agreement;  
Utility Companies

Motion made by Councilman Goldfarb, seconded by Councilman Cruise and unanimously carried authorizing the mayor to engage into entering into a proposed indemnification agreement between the utility companies and the City of Maryland Heights subject to approval of special council.

Adjournment

Mayor Dirck declared the meeting adjourned.

Time of adjournment - 8:25 p.m.

CERTIFICATION OF ORDINANCE  
OF THE  
CITY OF MARYLAND HEIGHTS

STATE OF MISSOURI )  
COUNTY OF ST. LOUIS )SS

I, Carol S. Turner, being the duly appointed City Clerk within the City of Maryland Heights in the County and State aforesaid, hereby certify that the foregoing constitutes a full, true, and correct copy of Bill No. 203, Ordinance No. 86-193, of said City, as the same appears on record in the Ordinance above of the City of Maryland Heights.

IN TESTIMONY WHEREOF I HAVE HEREUNTO SET  
MY HAND AND AFFIXED THE OFFICIAL SEAL OF  
THE CITY OF MARYLAND HEIGHTS, MISSOURI,  
THIS 10th DAY OF February, 1986.

*Carol S. Turner*  
City Clerk

AGREEMENT

THIS AGREEMENT, made and entered into as of the 5th day of February, 1986, by and between City of Maryland Heights (hereinafter 'City') and Laclede Gas Company, St. Louis County Water Company, Southwestern Bell Telephone Company and Union Electric Company (hereinafter 'Utility Companies').

WITNESSETH THAT:

WHEREAS, City is a municipal corporation located in St. Louis County, Missouri, having been declared incorporated as a City of the third class by Order of the County Council of St. Louis County entered on May 9, 1985; and

WHEREAS, Utility Companies are corporations engaged in the business of supplying and furnishing utility service within St. Louis County, and including the area within the boundaries of City; and

WHEREAS, prior to the incorporation of City, there was in effect within the unincorporated areas of St. Louis County, and including the area now encompassed within the boundaries of City, a license tax in an amount equal to five percent (5%) of the gross receipts of Utility Companies, as levied by the St. Louis County Council; and

WHEREAS, Ordinance 9, adopted by City on May 13, 1985, recited an acknowledgment of the said five percent (5%) license tax levied by St. Louis County on the gross receipts of the Utility Companies and further recited a confirmation and ratification of the continuance of such five percent (5%) gross receipts tax within City as a tax of the City; and

WHEREAS, City has heretofore filed its petition against Utility Companies, Cause No. 525122 in the Circuit Court of the County of St. Louis, seeking a declaratory judgment that City has the authority to direct that such five percent (5%) gross receipts tax is to remain in effect within the boundaries of City as a tax of the City without the necessity of submitting same to a vote under the provisions of Article X, Section 22(a) of the Missouri Constitution; and

WHEREAS, an election was held in City on June 4, 1985 on the proposition to continue said license tax and a majority of those voting did approve said proposition; and

WHEREAS, Donald Ray Scott, Intervenor in said Cause No. 525122, has filed an amended petition challenging the City's levy of said tax; and

WHEREAS, the parties hereto are desirous, pending a final legal determination of the validity of the tax, of providing for payment by the Utility Companies to the City of amounts equal to the tax in accordance with this Agreement;

NOW, THEREFORE, the parties do hereby agree as follows:

1. The parties acknowledge that Utility Companies have been paying to City five percent (5%) of their gross receipts derived from the area encompassed within the boundaries of City for the period beginning June 4, 1985 through November 30, 1985 pursuant to said Ordinance No. 9, as amended.

2. Simultaneously with execution of this Agreement, Utility Companies, and each of them, are paying to City five percent (5%) of their gross receipts derived from the area encompassed within the boundaries of City in full payment of all amounts due for the month of December, 1985; subject to City's right to inspect the books and records of the Utility Companies as per Ordinance No. 9, as amended.

3. Utility Companies, and each of them, agree to continue to pay to City all sums due under the provisions of City Ordinance 9, as heretofore amended, and as the same may be amended, from time to time, until such time as a final judgment is rendered holding said Ordinance 9, as amended, invalid or said Ordinance is repealed by City.


4. City does hereby agree to indemnify and hold Utility Companies, and each of them, harmless of and from any costs, losses, damages and expenses of any kind, including, without limitation, attorneys' fees and court costs, arising out of any claim asserted by any customer of Utility Companies, or any of them, to a refund of part or all of the five percent (5%) gross receipts tax paid to City pursuant to Ordinance 9, as amended. Promptly following receipt of any such claim, Utility Companies, or any of them, shall give City written notice of same

(but no such notice is required of the Donald Scott claim) and City shall have full responsibility for resolving such claim (in such manner as it deems appropriate, whether by suit, payment or otherwise) and shall have no duty to obtain the consent of Utility Companies to any resolution where the Utility Companies have no further obligation to the customer in connection with such resolution. If City fails timely to resolve such claim and pay all sums, if any, due based upon such resolution, and Utility Companies, or any of them, are required to pay any amount for which City is obligated to indemnify Utility Companies, then each of the Utility Companies may, at their respective options, deduct such payment from any future gross receipts tax payments owing to City, in lieu of demanding payment directly from the City.

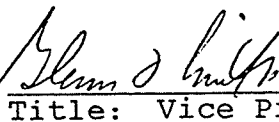
5. Utility Companies, and each of them, agree that they shall not contest the position of the City as to its right to judgment in said Cause No. 525122 of the Circuit Court of St. Louis County, for the period from June 4, 1985 forward. Utility Companies, and each of them, reserve the right to contest on all grounds the validity of the City's levy of said tax for the period from May 9, 1985 to June 4, 1985; provided however, if there is a final judgment upholding the validity of said tax for such period, Utility Companies, and each of them, will promptly pay to City the sums due under said ordinance for the said period from May 9, 1985 to June 4, 1985. Notwithstanding the foregoing provisions, if there is a final judgment determining that the funds previously collected as utility gross receipts taxes pursuant to Ordinance 9, as amended, should be refunded to customers, Utility Companies, or any of them, shall be entitled to the refund of any sum paid by them as gross receipts taxes on utility service rendered to them within City after May 9, 1985 in the same manner and to the same extent as they would be so entitled, notwithstanding this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written, the City pursuant to the action of its City Council on the 27th day of January, 1986.

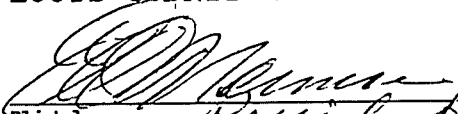
CITY OF MARYLAND HEIGHTS

By:   
Title: Mayor

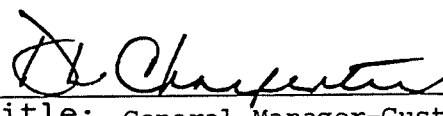
LACLEDE GAS COMPANY

By:   
Title: Vice President & Controller


ST. LOUIS COUNTY WATER COMPANY

By:   
Title: President

SOUTHWESTERN BELL TELEPHONE COMPANY

By:   
Title: General Manager-Customer Services

UNION ELECTRIC COMPANY

By:   
Title: Vice President & General Counsel

AN ORDINANCE AMENDING ORDINANCE 9, PASSED  
AND APPROVED MAY 13, 1985, RELATING TO THE  
TAX ON GROSS RECEIPTS OF UTILITY COMPANIES,  
BY AMENDING SECTIONS 3 AND 4 THEREOF,  
RELATING TO THE TIME FOR FILING OF  
RETURNS AND PAYMENT OF TAX.

---

SECTION 1: Ordinance 9 of the City of Maryland Heights, passed and approved on May 13, 1985, relating to the tax on gross receipts of utility companies, is hereby amended by amending Sections 3 and 4 thereof so as to read as follows:

Section 3. Each such company, shall, on forms designed and furnished by the City, make and file a verified return with the City covering the prior month, same to be filed on or before the 20th day following the close of each such month and at that time shall pay the tax for the period covered by the return; provided that the reporting and payment of taxes for the period through June 30, 1985 shall be in accordance with the original provision of Section 3 of Ordinance 9.

Section 4. Should the City be not satisfied with the accuracy of any return filed by any of the companies hereunder, or any statement required in support thereof, any such company shall submit its books and records to examination by the duly authorized representatives of the City. Should it be ascertained that the gross receipts herein taxed of any such company during the specified period is greater than the amount reported, such company, notwithstanding its return, shall pay the tax hereunder on its gross receipts as ascertained by the City.

SECTION 2: Except as herein amended, Ordinance 9 shall remain in full force and effect in all of its terms and provisions.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved this 6 day of June, 1985.

/s/ Edwin L. Dirck, Jr.  
Mayor

ATTEST:

/s/ Carol Turner  
City Clerk



BILL NO. 9

ORDINANCE NO. 9

AN ORDINANCE ACKNOWLEDGING THE LEVY OF A TAX OF  
5% OF THE GROSS RECEIPTS OF UTILITY COMPANIES AND  
CONFIRMING THE CONTINUANCE THEREOF WITHIN THE CITY  
OF MARYLAND HEIGHTS AS A TAX OF SUCH CITY

WHEREAS, by Order of the County Council of St. Louis County, dated May 9, 1985, the City of Maryland Heights was declared incorporated as a city of the third class; and

WHEREAS, there has been in effect within the area now encompassed within the City of Maryland Heights a tax of five percent (5%) of the gross receipts of companies engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone service as levied by the County Council of St. Louis County, Missouri; and

WHEREAS, City desires to acknowledge such tax and to confirm and ratify the continuance thereof within the city limits of the City of Maryland Heights, as a tax of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYLAND HEIGHTS, AS FOLLOWS:

SECTION 1. The City of Maryland Heights does hereby acknowledge that certain license tax levied by St. Louis County in an amount equal to five percent (5%) of the gross receipts derived from companies engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone service within the area now encompassed within the boundaries of the City of Maryland Heights and does hereby confirm and ratify the continuance thereof within the City as a tax of the City of Maryland Heights.

SECTION 2. The term "gross receipts" as used herein means the aggregate amount of all sales and charges of the commodities or services described in Section 1 hereof made by any of the afore-

said companies during each quarterly period, less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during such period.

SECTION 3. Each such company shall, on forms designed and furnished by the City, make and file a verified quarterly return with the City on or before the twentieth day following each calendar quarterly period of three months and at that time shall pay the tax for the quarter covered by the return. The first quarter hereunder shall be deemed to end on June 30, 1985, and the first return to be filed with the City shall cover the period from May \_\_, 1985 through June 30, 1985.

SECTION 4. Should the City be not satisfied with the accuracy of a quarterly return, filed by any of the companies hereunder, or any statement required in support thereof, any such company shall submit its books and records to examination by the duly authorized representatives of the City. Should it be ascertained that the gross receipts herein taxed of any such company during the specified period is greater than the amount reported, such company, notwithstanding its return, shall pay the tax hereunder on its gross receipts as ascertained by the City.

SECTION 5. The city clerk shall prescribe all incidental rules and regulations for the enforcement of this ordinance.

SECTION 6. In the event that any company hereunder fails to pay the tax or to discharge any liability hereunder, suit may be filed in any court of competent jurisdiction to enforce the payment of the tax and liability.

SECTION 7. Any person, firm, association or corporation violating any of the provisions of this ordinance, or any employee, agent or other person taking part in, joining or aiding in a violation of any provision of this ordinance may be prosecuted as provided by law for the violation of ordinances of the City and, upon convic-

tion thereof, shall be subject to the penalties provided for violation of city ordinances. Each day a violation continues shall constitute a separate offense.

SECTION 8. This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved this 13 day of May, 1985.

/s/ Edwin L. Dirck, Jr.  
Mayor

ATTEST:

/s/ Carol Turner  
Acting City Clerk

CITY OF MOLINE ACRES

BILL NO. 638

ORDINANCE NO. 604

AN ORDINANCE TO MAINTAIN THE TAX RATE ON GROSS RECEIPTS ON SUPPLYING NATURAL GAS WITHIN THE CITY AT FIVE PERCENT OF GROSS RECEIPTS PURSUANT TO SECTION 393.275 (2) RSMo..

WHEREAS, Section 2 of Ordinance 571 of the City of Moline Acres, Missouri provides that suppliers of gas or gas service shall pay to the city, as a license or occupation tax, five (5) percent of gross receipts from such business in the City, and

WHEREAS, Section 393.275 (2) RSMo. provides that the governing body of a city notified by the State Public Service Commission of an increase in the tariff for utility services shall reduce its gross receipts tax rate unless an Ordinance is enacted by the governing body of the City so notified to maintain its gross receipts tax rate without reduction, and

WHEREAS, The City of Moline Acres was notified of a tariff increase approved for Laclede Gas Company by the Missouri Public Service Commission on August 23, 1992, and a subsequent increase approved on October 9, 1992, and

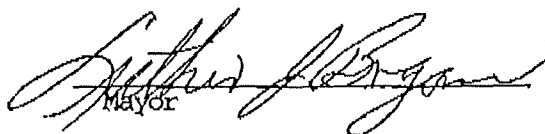
WHEREAS, The Board of Aldermen of the City of Moline Acres has determined that it is in the best interest of the City of Moline Acres to maintain the current tax rate on gross receipts for natural gas service as authorized by Section 393.275 (2) RSMo..

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MOLINE ACRES, ST. LOUIS MISSOURI, AS FOLLOWS:

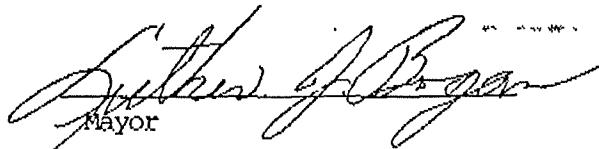
SECTION 1. Pursuant to the provisions of Section 393.275 (2) RSMo., the gross receipts tax rate on natural gas service within the corporate limits of the City of Moline Acres shall be maintained as directed by Section 2 of Ordinance 571 of the City of Moline Acres, Missouri.

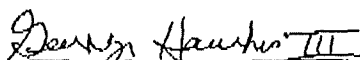
SECTION 2. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval of the Mayor.

Passed this 12<sup>TH</sup> day of October, 1992

  
Mayor

Approved this 13<sup>TH</sup> day of October, 1992

  
Mayor

Attest:   
City Clerk

1st Reading:  
2nd Reading:  
3rd Reading:

SPONSOR:

ORDINANCE NO. 571

BILL NO. 605

AN ORDINANCE AMENDING ORDINANCE NO. 566 AND ENACTING A NEW SECTION 2 OF ORDINANCE NO. 307 IN LIEU OF SECTION 2 OF ORDINANCE 566 RELATING TO A LICENSE OR OCCUPATIONAL TAX AND PROVIDING FOR THE MAKING OF MONTHLY RETURNS AND PAYMENTS UPON ALL PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF FURNISHING OR SUPPLYING ELECTRICITY, ELECTRICAL SERVICE OR POWER, GAS OR GAS SERVICES, TELEPHONE OR TELEPHONE SERVICE, WATER OR WATER SERVICE, OR COMMUNITY ANTENNA TELEVISION SERVICE, AND FURTHER PROVIDING AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MOLINE ACRES, MISSOURI, AS FOLLOWS:

Section 1. Ordinance 566 be and is hereby amended.

Section 2. A new Section 2 to Ordinance 307 is hereby adopted in lieu of Section 2 of Ordinance 566 thereof to read as follows:


"Section 2. There is hereby levied upon all persons firms or corporations, now or hereafter engaged in the business of furnishing or supplying electricity, electrical service or power, gas or gas services, telephone or telephone service, water or water service, or community antenna television service, within the City of Moline Acres, a monthly license or occupational tax amounting to the sum of 5 percent (5%) of the monthly gross receipts derived from the carrying on of such business within the City, said monthly tax to be payable in monthly installments as provided in Section 3 of Ordinance 524."

ORD. 571

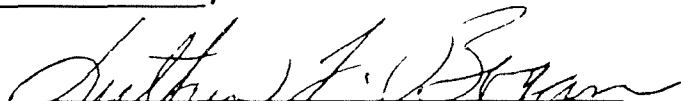
Section 3. If any clause, word, paragraph, section, or other part or portions of this ordinance is held to be invalid, illegal or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

Section 4. This ordinance shall be in full force and effect from and after the date of its passage and approval.

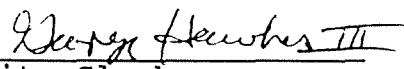
PASSED this 14th of MAY, 1991.

  
Luther J. Bogan, Mayor


APPROVED this 14th day of MAY, 1991.

  
Luther J. Bogan, Mayor

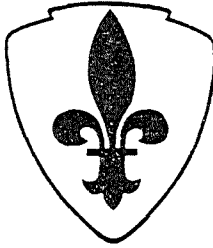
ATTEST:

  
City Clerk

I certify this to be a true and accurate copy of Ordinance #571

  
City Clerk

ORD. 571



**CITY OF NORMANDY**

7700 NATURAL BRIDGE ROAD  
NORMANDY, MISSOURI 63121

(314) 385-3300

STATE OF MISSOURI            )  
  ) ss  
COUNTY OF SAINT LOUIS    )

I, Elizabeth Houlihan, City Clerk within and for the City of Normandy, Missouri in the State and County aforesaid do hereby certify that the foregoing constitutes a full, true and correct copy of ORDINANCE #348

of said City as passed by the Council of Normandy, Missouri and approved by the Mayor on the 13th day of OCTOBER, 1992, as fully as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Normandy, Missouri, at my office in said City, this 20th day of OCTOBER, 1992.

SEAL

*Elizabeth Houlihan*  
Elizabeth Houlihan  
City Clerk

AN ORDINANCE TO MAINTAIN THE TAX RATE OF EIGHT PERCENT OF THE GROSS RECEIPTS AS AN OCCUPATIONAL OR LICENSE TAX FOR PUBLIC UTILITIES AS PROVIDED BY SECTION 393.275 OF THE REVISED CODE OF THE STATE OF MISSOURI.

WHEREAS, Ordinance #211 of the City of Normandy, as amended by Ordinance #299 of the said City, establishes a license or occupational tax on the gross receipts of public utilities providing services to the residents of the City of Normandy at the rate of Eight Percent (8%) of the gross receipts of each said utility; and

WHEREAS, Section 393.275 of the Revised Statutes of the State of Missouri requires that municipalities which impose a tax on the gross receipts of public utilities affirmatively act by ordinance to maintain such tax rates under certain circumstances; and

WHEREAS, it is the sense of the Council of the City of Normandy that the best interests of the residents of the City will be served by maintaining the present tax rate on the gross receipts of public utilities;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI AS FOLLOWS:

Section One.

In accord with the authority granted to the City of Normandy, Missouri under Section 393.275.2 of the Revised Statutes of the State of Missouri, the rate of the license or occupational tax for each public utility providing services within the City of Normandy, which tax was previously established by law at the rate of Eight Percent (8%) of the gross receipts of each said utility derived from business within the City of Normandy, is hereby maintained at the aforesaid rate.

Section Two.

This Ordinance shall be in full force and effect both from and after its passage and approval by the Mayor.



PASSED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI, THIS 13th  
DAY OF OCTOBER, 1992.

Patrick F. Hambrough  
Patrick F. Hambrough, Presiding Officer

ATTEST:

Elizabeth Houlihan  
Elizabeth Houlihan,  
City Clerk

APPROVED BY MAYOR PATRICK F. HAMBROUGH THIS 14th DAY OF  
OCTOBER, 1992.

Patrick F. Hambrough  
Patrick F. Hambrough, Mayor

ATTEST:

Elizabeth Houlihan  
Elizabeth Houlihan,  
City Clerk



**CITY OF NORMANDY**

7700 NATURAL BRIDGE ROAD  
NORMANDY, MISSOURI 63121  
(314) 385-3300

RECEIVED  
AUG 9 1985  
Tax Dept.  
Laclede Gas Co.

STATE OF MISSOURI    )  
                              )   ss  
COUNTY OF ST. LOUIS )

I, Delores Westermeyer, City Clerk within and for the City of Normandy, Missouri in the State and County aforesaid do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance #229 of said City as passed by the Council of the City of Normandy, Missouri and approved by the Mayor on the 12th day of December, 1984, as fully as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Normandy, Missouri, at my office in said City, this 8th day of August, 1985.

SEAL



\_\_\_\_\_  
Delores Westermeyer  
City Clerk

AN ORDINANCE AMENDING ORDINANCE # 112 OF THE CITY OF NORMANDY BY AMENDING SECTION 2; ENTITLED "LICENSE TAX IMPOSED: AMOUNT"

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI AS FOLLOWS:

SECTION 1: SECTION 2 OF ORDINANCE # 112 AMENDED:

Section 2 of Ordinance # 112 of the City of Normandy, Missouri is hereby amended to read as follows:

Every individual public utility shall pay to the City of Normandy a license or occupational tax in the amount equal to eight percent (8%) of the gross receipts derived from business within the City of Normandy.

SECTION 2: EFFECTIVE DATE:

This Ordinance shall be in full force and effect both from and after its passage.

THIS ORDINANCE PASSED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI, THIS 11th DAY OF December, 1984.

ATTEST:

*Delores Westermeyer*  
Delores Westermeyer  
City Clerk

*Patrick F. Hambrough*  
Patrick F. Hambrough  
Mayor

THIS ORDINANCE APPROVED BY MAYOR PATRICK F. HAMBROUGH THIS 12th DAY OF December, 1984.

ATTEST:

*Delores Westermeyer*  
Delores Westermeyer  
City Clerk

*Patrick F. Hambrough*  
Patrick F. Hambrough  
Mayor

APPROVED AS TO LEGAL FORM  
CITY ATTORNEY



**CITY OF NORMANDY**

7700 NATURAL BRIDGE ROAD  
NORMANDY, MISSOURI 63121  
(314) 385-3300

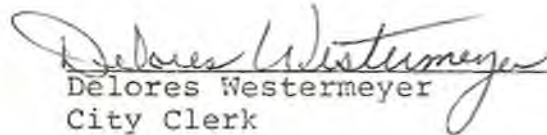
RECEIVED  
AUG 9 1985  
Tax Dept.  
Laclede Gas Co.

STATE OF MISSOURI    )  
                                  )   ss  
COUNTY OF ST. LOUIS )

I, Delores Westermeyer, City Clerk within and for the City of Normandy, Missouri in the State and County aforesaid do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance #112 of said City as passed by the Council of the City of Normandy, Missouri and approved by the Mayor on the 29th day of October, 1980, as fully as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Normandy, Missouri, at my office in said City, this 8th day of August, 1985.

SEAL

  
Delores Westermeyer  
City Clerk

AN ORDINANCE AMENDING ORDINANCE NO. 4 BY REPEALING SECTION 2; ENTITLED "LICENSE TAX IMPOSED: AMOUNT" AND SUBSTITUTING A NEW SECTION 2 THEREFORE

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI AS FOLLOWS:

SECTION 1: Section 2 of Ordinance No. 4 amended:

Section 2: LICENSE TAX IMPOSED: AMOUNT:

Every public utility shall pay to the City of Normandy a license or occupational tax in the amount equal to five percent (5%) of the gross receipts derived from business within the City of Normandy.

is hereby repealed, and a new section is substituted in lieu thereof which reads as follows:

Section 2: LICENSE TAX IMPOSED: AMOUNT:

Every public utility shall pay to the City of Normandy a license or occupational tax in the amount equal to eight percent (8%) of the gross receipts derived from business within the City of Normandy.

SECTION 2: EFFECTIVE DATE

This ordinance shall be in full force and effect both from and after its passage.

THIS ORDINANCE PASSED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI THIS 21st DAY OF October, 1980.

Patrick F. Hambrough  
Patrick F. Hambrough  
MAYOR

ATTEST:

Delores Westermeyer  
Delores Westermeyer  
CITY CLERK

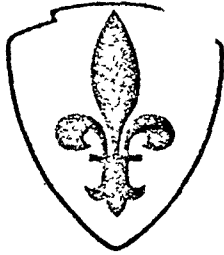
THIS ORDINANCE APPROVED BY MAYOR PATRICK F. HAMBROUGH THIS

29th DAY OF October, 1980

Patrick F. Hambrough  
Patrick F. Hambrough  
MAYOR

ATTEST:

Delores Westermeyer  
Delores Westermeyer  
CITY CLERK



## CITY OF NORMANDY

7700 NATURAL BRIDGE ROAD  
NORMANDY, MISSOURI 63121

(314) 385-3300

November 18, 1980

Mr. Lawrence J. Bannes  
Assistant General Counsel  
Laclede Gas Company  
720 Olive Street  
St. Louis, Missouri 63101

Dear Mr. Bannes:

Attached you will find a certified copy of Ordinance #112, of the City of Normandy, which increases the gross receipts tax from the present 5% to 8% effective January 1, 1981.

Should you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

CITY OF NORMANDY

A handwritten signature in dark ink, appearing to read "Thom M. Digman". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Thom M. Digman  
City Administrator

TMD:dw

AN ORDINANCE AMENDING ORDINANCE NO. 4 BY REPEALING SECTION 2; ENTITLED "LICENSE TAX IMPOSED: AMOUNT" AND SUBSTITUTING A NEW SECTION 2 THEREFORE

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI AS FOLLOWS:

SECTION 1: Section 2 of Ordinance No. 4 amended:

Section 2: LICENSE TAX IMPOSED: AMOUNT:

Every public utility shall pay to the City of Normandy a license or occupational tax in the amount equal to five percent (5%) of the gross receipts derived from business within the City of Normandy.

is hereby repealed, and a new section is substituted in lieu thereof which reads as follows:

Section 2: LICENSE TAX IMPOSED: AMOUNT:

Every public utility shall pay to the City of Normandy a license or occupational tax in the amount equal to eight percent (8%) of the gross receipts derived from business within the City of Normandy.

SECTION 2: EFFECTIVE DATE

This ordinance shall be in full force and effect both from and after its passage.

THIS ORDINANCE PASSED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI THIS 21st DAY OF October, 1980.

Patrick F. Hambrough  
Patrick F. Hambrough  
MAYOR

ATTEST:

Delores Westermeyer  
Delores Westermeyer  
CITY CLERK

THIS ORDINANCE APPROVED BY MAYOR PATRICK F. HAMBROUGH THIS

29th DAY OF October, 1980

Patrick F. Hambrough  
Patrick F. Hambrough  
MAYOR

ATTEST:

Delores Westermeyer  
Delores Westermeyer  
CITY CLERK

AN ORDINANCE AMMENDING ORDINANCE # 4 OF THE CITY OF NORMANDY PERTAINING TO THE COLLECTION OF THE GROSS RECEIPTS TAX ON UTILITIES TO PROVIDE FOR THE MONTHLY REPORTING AND PAYMENT OF SAME.

APPROVED AS TO FORM: \_\_\_\_\_

BE IT ORDIANED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI AS FOLLOWS:

SECTION 1: ORDINANCE 4, SECTION 3, HEREBY AMMENDED

Ordinance #4 of the City of Normandy, entitled, "AN ORDINANCE PROVIDING FOR A LICENSE TAX TO BE PAID BY ALL PUBLIC UTILITIES PROVIDING SERVICE IN THE CITY OF NORMANDY; ALSO, PROVIDING FOR A QUARTERLY REPORT TO BE FILED WITH PAYMENT OF TAX AND AUTHORIZING THE CITY TREASURER TO INVESTIGATE CORRECTNESS AND ACCURACY OF STATEMENTS FILED; FURTHER, PROVIDING FOR AN EFFECTIVE DATE OF JULY 1,1977 AND PROVIDING FOR A PENALTY"., is hereby ammended by deleting Section 3 thereof and by enacting a new Section 3 in lieu therof to read as follows:

SECTION 3: MONTHLY REPORTS AND PAYMENTS

Every public utility shall file with the City Administrator of the City of Normandy a monthly statement showing the gross receipts derived from the operation of business during each month, which statement shall be filed within thirty (30) days after the close of each month, and the tax prescribed in Section 2 herein shall be paid at the time of filing of such statement.

SECTION 2: EFFECTIVE DATE

This Ordinance shall be in full force and effect both from and after its passage. Monthly reporting and payment of taxes as required herein shall commence beginning with receipts derived from the operation of business for the month of April 1978.

THIS ORDINANCE PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI, THIS 14th DAY OF March, 1978.

John R. Dougherty  
Presiding Officer

ATTEST:

Douglas J. Harms

THIS ORDINANCE APPROVED THIS 15th DAY OF March, 1978 BY MAYOR PATRICK F. HAMBROUGH.

Patrick F. Hambrough  
MAYOR, Patrick F. Hambrough

ATTEST:

Douglas J. Harms  
Douglas J. Harms  
City Administrator

I, Douglas J. Harms, City Administrator of the City of Normandy Missouri, Do hereby certify that the foregoing is a true copy of Ordinance #36 of said City, passed by the Council on the 14th Day of March, 1978 as fully as the same appears in my office in permanent records.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Normandy, St. Louis, County, Missouri, in my Office this 17th Day of March 1978.

Douglas J. Harms  
Douglas J. Harms, City Administrator





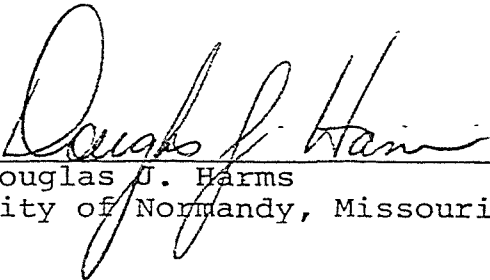
# City of Normandy Missouri

3620 OAKMOUNT AVENUE / NORMANDY, MISSOURI 63121  
(314) 385-3300

STATE OF MISSOURI     )  
                                  ) SS  
COUNTY OF ST. LOUIS    )

I, Douglas J. Harms, City Administrator for the City of Normandy, Missouri, do hereby certify that the attached is a true and accurate copy of Ordinance #4 adopted by the Council of the City of Normandy and approved by the Mayor on the 6th day of June, 1977, as fully as the same appears in permanant records in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Normandy this 6th day of June, 1977.

  
\_\_\_\_\_  
Douglas J. Harms  
City of Normandy, Missouri

AN ORDINANCE PROVIDING FOR A LICENSE TAX TO BE PAID BY ALL PUBLIC UTILITIES PROVIDING SERVICE IN THE CITY OF NORMANDY; ALSO, PROVIDING FOR A QUARTERLY REPORT TO BE FILED WITH PAYMENT OF TAX AND AUTHORIZING THE CITY TREASURER TO INVESTIGATE CORRECTNESS AND ACCURACY OF STATEMENTS FILED; FURTHER, PROVIDING FOR AN EFFECTIVE DATE OF JULY 1, 1977 AND PROVIDING FOR A PENALTY.

WHEREAS, SECTION 8-C-5 of Ordinance #141 and 554, enacted April 4, 1977, by the Boards of Trustees of the Village of Berdell Hills and The Town of Normandy respectively, provides that the Council of the City of Normandy enact a five percent (5%) Gross Receipts Tax on Utilities; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI AS FOLLOWS:

SECTION 1: DEFINITIONS:

For the purposes of this ordinance, the following terms shall have the meanings respectfully ascribed to them unless a different meaning clearly appears in the context:

PUBLIC UTILITY- means every individual, firm, corporation, partnership, joint venture, business trust, receiver and any other person, group, combination or association of any of them who shall be engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone service in the City of Normandy.

GROSS RECEIPTS- means the aggregate amount of all sales and charges of the commodities as services as herein described made by a public utility in the City of Normandy during any period less discounts, credits, refunds, sales taxes and uncollectable accounts actually charged off during the period.

SECTION 2: LICENSE TAX IMPOSED; AMOUNT:

Every public utility shall pay to the City of Normandy a license or occupational tax in the amount equal to five percent (5%) of the gross receipts derived from business within the City of Normandy.

SECTION 3: QUARTERLY REPORTS & PAYMENTS:

Every public utility shall file with the City Administrator of the City of Normandy a quarterly statement showing the gross receipts derived from the operation of business during the three (3) months period ending with the last day of March, June, September and December of each calendar year, which statement shall be filed within thirty (30) days after the close of each such period, and the tax prescribed in Section 2 herein shall be paid at the time

of the filing of : a statement.

SECTION 4: TREASURER AUTHORIZED TO INSPECT RECORDS

The Treasurer of the City of Normandy or his deputies are hereby authorized to investigate the correctness and accuracy of any statement filed pursuant to this article and for that purpose shall have access at all reasonable times to the books, documents, papers and records of any person making such return in order to ascertain the accuracy thereof.

SECTION 5:

The payments required by the provisions of this ordinance shall be in lieu of any other occupation taxes required of any public utility, but nothing herein contained shall be so construed as to exempt any public utility from the payment to the City of Normandy of taxes imposed upon the public generally by said City.

SECTION 6:

Any Public Utility who shall violate any of the provisions of the foregoing ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). Each day's violation of this ordinance shall constitute a separate offense.

SECTION 7:

If any section or sections, or part thereof, of this ordinance shall be held invalid for any reason, the invalidity of such section or sections, or part thereof, shall not impair the validity of the remaining section, sections or part of this ordinance, the City Council hereby declaring that it would have passed the remaining portion of this ordinance had it known any section, sections, or part thereof would be held invalid.

SECTION 8:

This Ordinance and the license tax imposed herein shall take effect and be in force from and after the 1st day of July, 1977.

PASSED AND ADOPTED THIS 6th DAY OF June, 1977, BY THE COUNCIL OF THE CITY OF NORMANDY, MISSOURI.

ATTEST:

*Douglas J. Ham*

CITY ADMINISTRATOR

*Arnold Kottler*  
MAYOR

APPROVED THIS 6th DAY OF June, 1977.

ATTEST:

*Douglas J. Ham*

CITY ADMINISTRATOR

*Arnold Kottler*  
MAYOR

Bill No. 08-04

Ordinance No. 08-04

**AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT BETWEEN LACLEDE GAS COMPANY AND THE CITY OF NORTHWOODS, MISSOURI**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NORTHWOODS, MISSOURI, AS FOLLOWS:**

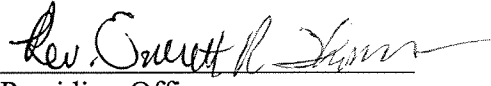
**Section One.**

The Mayor is authorized and directed to execute the Franchise Agreement between Laclede Gas Company and the City of Northwoods attached hereto as Exhibit 1.

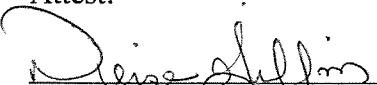
**Section Two.**

This Ordinance shall be in full force and effect from and after its passage and approval.


**PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF NORTHWOODS, MISSOURI, THIS 11th DAY OF March, 2008.**

  
Presiding Officer

Attest:

  
Denise Johnson-Griffin, City Clerk

**SIGNED THIS 11th DAY OF March, 2008.**

  
Reverend Everett R. Thomas  
Mayor, City of Northwoods

Attest:

  
Denise Johnson-Griffin, City Clerk

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF NORTHWOODS, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NORTHWOODS, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, renewed and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Northwoods, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Northwoods, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Northwoods, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 5. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Northwoods, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Northwoods, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

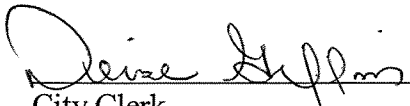
Section 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Read three (3) times and passed by the Board of Aldermen of the City of Northwoods, Missouri, this 11<sup>th</sup> day of March, 2008.

  
\_\_\_\_\_  
Mayor

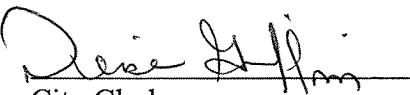
ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved this 11<sup>th</sup> day of March, 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION D/B/A MISSOURI NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, UNDERGROUND VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE VILLAGE OF OAK GROVE VILLAGE, MISSOURI AND AREAS DEDICATED TO THE VILLAGE FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID VILLAGE, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OAK GROVE VILLAGE, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri d/b/a Missouri Natural Gas Company (hereinafter sometimes called "Missouri Natural"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, underground vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the Village of Oak Grove Village, as now fixed and as hereafter extended, and areas dedicated to the Village for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the Village of Oak Grove Village, and in territory adjacent to said Village and for the purpose of transporting and transmitting gas through said Village; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the Village for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the Village in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Missouri Natural, its successors or assigns, in the Village of Oak Grove Village, shall be made in accordance with the rules and regulations governing such extensions and additions by Missouri Natural now on file with the Public Service Commission of



Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Missouri Natural, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The said Missouri Natural Gas Company shall hold said Village of Oak Grove Village harmless from all liability imposed upon it on account of injury or damage to person or property caused by said Missouri Natural Gas Company in the course of or in connection with any construction, reconstruction, excavation, placing, maintenance, operation or use of mains, service pipes, conductors or other equipment in, along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the Village of Oak Grove Village in exercise of any of the rights and privileges conferred by this ordinance.

Section 4. The rights, privileges and authority hereby granted shall inure to and be vested in Missouri Natural, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Missouri Natural shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 5. Missouri Natural shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the Village of Oak Grove Village, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date.

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Missouri Natural, its successors or assigns, may have independently of this ordinance; nor shall any use by Missouri Natural, its successors or assigns, of public property or places in the Village of Oak Grove Village, as authorized by this ordinance or service rendered by Missouri Natural, its successors or assigns, in said Village, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Missouri Natural, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Missouri Natural of the obligation to comply with any ordinance now existing in the Village or enacted in the future

requiring Missouri Natural to obtain written permits or other approval from the Village prior to commencement of construction of facilities within the streets thereof, except Missouri Natural shall not be required to obtain permits or other approval from the Village for the maintenance and repair of its facilities.


Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section 10. This ordinance shall take effect and the rights, privileges and authority hereby granted and renewed shall vest in Missouri Natural upon its filing of an acceptance with the Village Clerk according to the terms prescribed herein; subject only to the approval or disapproval of the voters of this Village only upon the terms and conditions provided in §88.251 RSMo. (1989). If the Village Clerk does not receive within thirty (30) days after the final passage of this ordinance a petition sufficient in form and signed by the requisite number of voters, this ordinance shall be a valid and binding franchise of the Village and shall remain in full force and effect.

Duly read and passed this 14 day of Mar., 2011.

  
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Chairman, Board of Trustees


ATTEST:

  
\_\_\_\_\_  
Village Clerk

Approved this 14 day of Mar., 2011.

  
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Chairman, Board of Trustees

ATTEST:

  
\_\_\_\_\_  
Village Clerk

INTRODUCED BY ALDER PERSON Stewart

BILL NO. 771

ORDINANCE NO. 771

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF OAKLAND, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OAKLAND, MISSOURI, AS FOLLOWS:**

Section 1. The non-exclusive right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Oakland, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Oakland, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Oakland, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes and such fees as may be permitted by Mo.Rev.Stat. § 67.1830 through 67.1846, if any are provided for by applicable ordinances, as the same may be amended from time to time.

Section 5. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Oakland, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (2000, as amended through 2008).

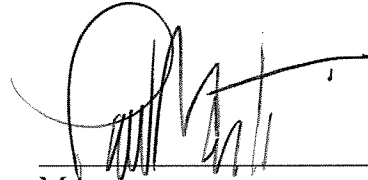
Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any way impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Oakland, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any way indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance, if any; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.


Section 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities, unless excavation is required.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Passed and Approved by the Board of Aldermen of the City of Oakland, Missouri, in compliance with Chapter 79 RSMo. (2000 as amended through 2008) this 11<sup>th</sup> day of May, 2009.

  
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Mayor

ATTEST:

  
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City Clerk

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Sponsored by: Mayor Hennessy

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**AN ORDINANCE RENEWING AN EXISTING FRANCHISE FOR SPIRE, A MISSOURI CORPORATION, TO OPERATE A GAS DISTRIBUTION SYSTEM IN THE CITY OF O'FALLON, MISSOURI, ITS SUCCESSORS OR ASSIGNS**

**WHEREAS**, SPIRE ("SPIRE" or "Company") is engaged in the business of supplying natural gas service in the City of O'Fallon ("City"), and

**WHEREAS**, the City is a charter city under the Missouri Constitution, and

**WHEREAS**, for many years SPIRE has continuously provided natural gas service to customers in the City pursuant to franchise, including pursuant to franchise approved in 2007 by Ordinance 5169, and

**WHEREAS**, the City and SPIRE have reached agreement upon the terms and conditions of a renewed franchise, and

**WHEREAS**, the renewal franchise has been made available for public inspection for a period of 30 days in the office of the City Clerk pursuant to Sections 71.530 and 88.251 RSMo and the City Charter, and

**WHEREAS**, pursuant to the City Charter a public hearing was held before the City Council on December 14, 2017, after duly advertising such public hearing in a newspaper of general circulation within the City, at least 15 days prior to such hearing; and

**WHEREAS**, all persons who presented themselves before the City Council and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF O'FALLON, MISSOURI.**

**Section 1.** The non-exclusive franchise, right, permission and authority for a period of twenty (20) years is hereby granted to, and renewed and vested in SPIRE, a corporation of the State of

35 Missouri (hereinafter sometimes called "SPIRE" or "Company"), its  
36 successors and assigns, to construct, reconstruct, excavate for, place,  
37 replace, extend and maintain all necessary or appropriate mains, service  
38 pipes, conduits, conductors, vaults, vaporizers, regulators and other  
39 equipment with all necessary or appropriate appurtenances and  
40 appliances in connection therewith, in, along, across, over and  
41 under the streets, roads, alleys, sidewalks, squares, bridges (and  
42 other public places as may be designated by the City as appropriate for  
43 such facilities) within the corporate limits of the City of O'Fallon, as now  
44 fixed and within any future extensions of its limits as hereafter  
45 extended, and areas dedicated to the City for public utility use, for the  
46 purpose of transmitting, furnishing, transporting and distributing gas  
47 for light, heat, power and other purposes within the City of O'Fallon,  
48 and in territory adjacent to said City and for the purpose of transporting  
49 and transmitting gas through said City; all such equipment, appliances  
50 and apparatus to be installed and maintained with due regard to the  
51 rightful use by other persons with vehicles or otherwise, of the streets,  
52 roads, alleys, sidewalks, squares, bridges, and other designated  
53 public places and areas dedicated to the City for public utility use, and  
54 exercise of the rights, permission and authority hereby granted shall  
55 at all times be subject to proper regulation by the City in the exercise  
56 of its police powers.

57  
58 **Section 2.** Extensions of, and additions to, the distribution system  
59 maintained by SPIRE, its successors or assigns, in the City of O'Fallon,  
60 shall be made in accordance with the rules and regulations governing  
61 such extensions and additions by SPIRE now on file with the Public  
62 Service Commission of Missouri or in accordance with such amended  
63 rules and regulations governing such extensions and additions by  
64 SPIRE, its successors or assigns, as may hereafter become effective in  
65 the manner provided by law. The financial responsibility for relocations  
66 of the Company's facilities within the City's rights-of-way shall be  
67 determined by State law as shall be specified by Statute or common  
68 law at the time of the relocation, and nothing herein shall be  
69 construed to confer upon the Company or the City any rights  
70 inconsistent therewith. The City will not vacate any public right-of-  
71 way containing any Company facilities without first advising the  
72 Company of its intention to vacate the right-of-way and cooperating  
73 with the Company in reasonable attempts to obtain the necessary  
74 property rights to maintain its facilities in the right-of-way.

75 **Section 3.** SPIRE shall indemnify and hold said City harmless from all  
76 liability, judgments, decrees, costs, expenses and attorneys' fees incurred or  
77 imposed on account of injury or damage to person or property arising from  
78 the negligent acts or omissions or mismanagement of SPIRE or its  
79 subcontractors in the construction, reconstruction, excavation, extension,  
80 restoration, placing or maintenance of the mains, service pipes, conduits,  
81 conductors or other equipment in along, across, over or under any of the  
82 streets, roads, alleys, sidewalks, squares, bridges, and other designated  
83 public places, in the City of O'Fallon in the exercise of any of the rights and  
84 privileges conferred by this ordinance.  
85

86 **Section 4.** The rights, privileges and authority hereby granted shall  
87 inure to and be vested in SPIRE, its successors and assigns, successively,  
88 subject to all of the terms, provisions and conditions herein contained, and  
89 each of the obligations hereby imposed upon SPIRE shall devolve and be  
90 binding upon its successors and assigns, successively, in the same manner.  
91

92 **Section 5.** As consideration for the rights and privileges conferred by  
93 this ordinance, SPIRE shall pay to said municipality the gross receipts taxes,  
94 if any, lawfully provided for by applicable ordinances, as the same may be  
95 amended from time to time so far as such ordinances are reasonably  
96 applicable to the condition and business of the Company, and charges to the  
97 Company for any use of the public rights-of-way shall be limited to right-of-  
98 way management costs as determined in accordance with section 67.1840  
99 RSMo.  
100

101 **Section 6.** SPIRE shall, within sixty (60) days after the passage and  
102 approval of this ordinance, file its acceptance thereof with the Clerk of the  
103 City of O'Fallon, and this ordinance shall continue and remain in full force  
104 and effect as a renewal of the preceding franchise for a period of twenty  
105 (20) years from the effective date as determined in accordance with  
106 Section 71.520 RSMo.  
107

108 **Section 7.** Neither acceptance of, nor compliance with, the provisions  
109 of this ordinance shall in any wise impair or affect, or constitute or be  
110 construed as a relinquishment or waiver of, any right, permission or authority  
111 which SPIRE, its successors or assigns, may have independently of this  
112 ordinance; nor shall any use by SPIRE, its successors or assigns, of public  
113 property or places in the City of O'Fallon, as authorized by this ordinance  
114 or service rendered by SPIRE, its successors or assigns, in said City, be  
115 treated as use solely of the rights, permission and authority provided for by  
116 this ordinance or as service referable solely to this ordinance or to any



117 obligation of service consequent upon acceptance thereof or as in any wise  
118 indicating non-use of, non-compliance with, any obligation incident to, any  
119 right, permission or authority vested in SPIRE, its successors or assigns,  
120 independently of this ordinance; and the acceptance provided for in Section  
121 6 of this ordinance, and each and every compliance with the provisions  
122 of this ordinance or with any obligation arising from acceptance thereof,  
123 shall be subject to, and conditioned by, the provisions of this Section 7, with  
124 the same force and effect as though each of the provisions of this section  
125 were expressly incorporated in such acceptance and expressly declared by  
126 the acceptor, its successors or assigns, at and prior to the time of such  
127 compliance by it, as conditions of such compliance.  
128

129 **Section 8.** All ordinances and parts of ordinances in conflict with this  
130 ordinance or with any of its provisions are, to the extent of such conflict,  
131 hereby repealed.  
132

133 **Section 9.** This ordinance shall not relieve SPIRE of the obligation to  
134 comply with any lawful ordinance now existing in the City or enacted in  
135 the future requiring SPIRE to obtain written permits or other approval from  
136 the City prior to commencement of construction of facilities within the street  
137 rights-of-way.  
138

139 **Section 10.** If any provision of this ordinance, or the application of such  
140 provision to particular circumstances, shall be held invalid, the remainder of  
141 this ordinance, or the application of such provision to circumstances other  
142 than those as to which it is held invalid, shall not be affected thereby.  
143

144 **Section 11.** This bill shall take effect and the rights, privileges and  
145 authority hereby granted and renewed shall vest in Company upon its filing  
146 of an acceptance with the City Clerk according to the terms prescribed herein.  
147 The Ordinance shall be subject to approval or disapproval of the voters of this  
148 City only upon the terms and conditions as provided in Mo. Rev. Stat. §  
149 88.251. If the City Clerk does not receive within thirty days after the passing  
150 of this Ordinance a petition sufficient in form and signed by the requisite  
151 number of voters, it shall be a valid and binding franchise of the City upon  
152 the filing of an acceptance by the Company according to the terms prescribed  
153 herein and shall remain in full force and effect and cannot be repealed or  
154 amended.  
155  
156

157 PASSED by the City Council of the City of O'Fallon, Missouri this 14 day of  
158 December, 2017.

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Bill Hennessy  
Presiding Officer

164 ATTEST:

165

Conan Stott

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167 Conan Stott, Deputy City Clerk

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169



170 APPROVED BY THE MAYOR ON THIS 14 DAY OF December, 2017

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178 ATTEST:

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Conan Stott

182 Conan Stott, Deputy City Clerk

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Bill Hennessy  
Mayor Bill Hennessy



186

Approved as to Form:

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Kevin M. O'Keefe  
Kevin M. O'Keefe, City Attorney

**City of Olivette**  
9473 Olive Boulevard  
Olivette, Missouri 63132  
City Hall: (314) 993-0444 Fax: (314) 993-8135



December 15, 2008

Mr. Paul Krieger  
Laclede Gas Tax Division  
720 Olive Street  
Room 1306  
St. Louis, Missouri 63101

Dear Mr. Krieger:

For your information and action, I have enclosed a copy of the ordinance as we had discussed last week. The ordinance is self explanatory. If you should need any additional information or clarification, please contact me any time at the number listed above or at my email listed below.

Thank you in advance regarding the completion of this matter.

Sincerely,

Jeffrey J. Steiner  
Director of Finance  
Email: [jsteiner@olivettemo.com](mailto:jsteiner@olivettemo.com)

**AN ORDINANCE IMPLEMENTING A TEMPORARY REDUCTION  
IN THE GROSS RECEIPTS TAX RATE ON GAS COMPANIES  
FOR RESIDENTIAL CUSTOMERS FOR THE PERIOD BETWEEN  
JANUARY AND MARCH, 2009.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLIVETTE,  
ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS**

**SECTION 1.** The City Council of the City of Olivette finds that severe weather predictions and projections of extraordinary costs of natural gas for the 2008-09 winter season will result in a significant and abnormal increase in the financial burden borne by residential customers of gas utilities and that a temporary reduction of the gross receipts tax rate applicable to residential customers between the months of January and March, 2009 will help ease that burden and serve the public interest.

**SECTION 2. BE IT FURTHER ORDAINED THAT** effective January 1, 2009 through March 31, 2009, the gross receipts tax rate on gas companies for residential customers imposed by Section 200.120 of the City Code shall be reduced to seven and one-half percent (7.5%) from ten percent (10%). The rate for non-residential customers shall remain at ten percent (10%).

**SECTION 3. BE IT FURTHER ORDAINED THAT** effective April 1, 2009, the gross receipts tax rate on gas companies for residential customers shall revert to ten percent (10%) of gross receipts, as for all classes of customers.

**SECTION 4. BE IT FURTHER ORDAINED THAT** the City Council finds that the actions directed by this ordinance are temporary in nature due to anticipated conditions in the winter season of 2008-09. Accordingly, Section 200.210 of the Code of Ordinances of the City of Olivette shall not be re-codified to reflect the temporary rate reduction applicable to residential customers, and this Ordinance shall not be construed or regarded as binding on or as a precedent for future City Councils.

**SECTION 5. BE IT FURTHER ORDAINED THAT** the City Manager is hereby directed to inform Laclede Gas Company of the provisions of this ordinance and take such other measures as are required to implement the provisions of same.

**SECTION 6. BE IT FURTHER ORDAINED THAT** this ordinance shall become effective from and after its adoption according to law.

**PASSED THIS 9<sup>TH</sup> DAY OF DECEMBER, 2008.**



**MAYOR JEAN ANTOINE**

**ATTEST:**

*Myra G. Bennett*  
**MYRA G. BENNETT, CMC/MRCC**  
**CITY CLERK**  
**CITY OF OLIVETTE**

Sponsor: Staff

Bill No. 01-2013  
Ordinance No. 2013-01

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF OVERLAND, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVERLAND, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Overland, as now fixed and within any future extensions of its limits as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Overland, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of

the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Overland, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law. The financial responsibility for relocations of the Company's facilities within the City's rights-of-way shall be determined by State law as shall be specified by Statute or common law at the time of the relocation, and nothing herein shall be construed to confer upon the Company or the City any rights inconsistent therewith. The City will not vacate any public right-of-way containing any Company facilities without first advising the Company of its intention to vacate the right-of-way and cooperating with the Company in reasonable attempts to obtain the necessary property rights to maintain its facilities in the right-of-way.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. Laclede shall hold said City of Overland harmless from all liability, including injury or damage to person or property arising from the negligence or mismanagement of Laclede or its subcontractors in the construction, reconstruction, excavation, extension, restoration or maintenance of the mains, service pipes, conduits, conductors or other equipment in, along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City of Overland in the exercise of any of the rights and privileges conferred by this ordinance.

Section 5. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time so far as such ordinances are reasonably applicable to the condition and business of the Company, and charges to the

Company for any use of the public rights-of-way shall be limited to reasonable rights-of-way management costs.

Section 6. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Overland, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 7. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any way impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Overland, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 8. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities. If Laclede (or any of its agents or contractors) performs any excavation of any street, sidewalk or other pavement in the course of such maintenance or repair of its facilities, Laclede shall restore said street, sidewalk or other

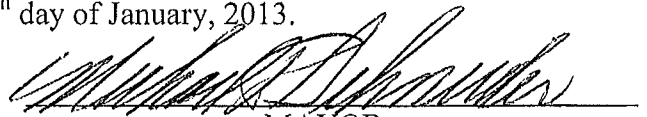


pavement to the same condition, or better condition, as said street, sidewalk or other pavement existed immediately prior to such excavation.

Section 10. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section 11. This ordinance shall be in full force and effect from and after its passage and approval according to law. The rights, privileges and authority hereby granted and renewed shall vest in Laclede upon its filing of its written acceptance with the City Clerk within 60 days of the passage and approval of this ordinance as prescribed herein; subject only to the provisions of §88.251 RSMo.

PASSED this 14<sup>th</sup> day of January, 2013.




MAYOR

January 14, 2013

Date of Approval

ATTEST:




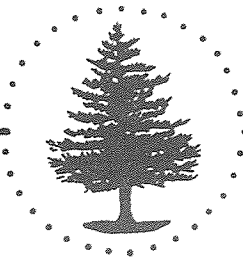
CITY CLERK

STATE OF MISSOURI                    )  
  )  
CITY OF OVERLAND                    )        SS:

I, Melissa J. Burton, Clerk of the City of Overland, Missouri, certify that the attached is a full, true, and complete copy of Ordinance #2013-01 "An Ordinance Renewing an Existing Franchise and Granting for a Period of Twenty (20) Years to Laclede Gas Company, A Missouri Corporation, Its Successors and Assigns, the Right, Permission and Authority to Construct, Reconstruct, Excavate For, Place, Replace, Maintain, Operate and Use Its Mains, service Pipes, Conduits, Conductors, Tanks, Vaults, Vaporizers, Regulators, and Other Equipment, With All Necessary or Appropriate Appliances and Appurtenances in Connection Therewith, In, Along, Across Over, and Under the Streets, Roads, Alleys, Sidewalks, Squares, Bridges and Other Public Places in the City of Overland, Missouri and Areas Dedicated to the City for Public Utility Use, for the Purpose of Transmitting, Furnishing, Transporting and Distributing Gas for Light, Heat, Power and Other Purposes Within and Through Said City, Prescribing the Terms and Conditions of Such Grant, and Imposing Certain Obligations Upon the Grantee, Its Successors and Assigns, Successively, In Connection Therewith" as fully as the same appears on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Overland, Missouri, this 18<sup>th</sup> day of January, 2013.

  
Melissa J. Burton, CMC MRCC  
City Clerk, City of Overland



# CITY OF PACIFIC

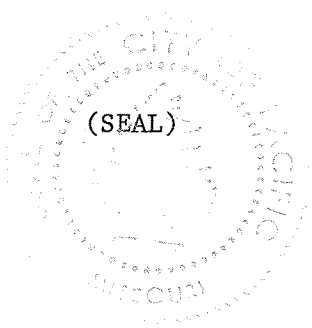
300 Hoven Drive • Pacific, Missouri 63069  
(314) 257-7200

STATE OF MISSOURI )  
                                  )  
COUNTY OF FRANKLIN )

I, Jo Ann Hoehne, City Clerk within and for the City of Pacific in the State and County aforesaid, do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 1584 of said City as passed by the Board of Aldermen and approved by the Mayor on the 15th day of January, 1991, as fully as the same appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Pacific, Missouri, at my office in said City, this 16th day of January, 1991.

*Jo Ann Hoehne*  
\_\_\_\_\_  
City Clerk



*Emergency Legislation*

BILL NO. 1633

ORDINANCE NO. 1584

INTRODUCED BY: \_\_\_\_\_

AN ORDINANCE GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAPORIZERS, UNDERGROUND VAULTS, REGULATORS, AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF PACIFIC, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING, AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH, AND PROVIDING THAT THIS ORDINANCE SHALL NOT BE EFFECTIVE UNLESS AND UNTIL SUCH GRANT BE APPROVED BY A MAJORITY OF THE VOTERS OF THE CITY AT SAID ELECTION.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, tanks, vaporizers, underground vaults, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Pacific, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of furnishing, transporting, and distributing gas for light, heat, power and other purposes within the City of Pacific, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons, with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Pacific, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. Laclede shall hold said City of Pacific harmless from all liability imposed upon it on account of injury or damage to person or property caused by Laclede in the course of or in connection with any construction, reconstruction, excavation, placing, maintenance, operation or use of mains, service pipes, conduits, conductors, tanks, vaporizers, underground vaults, regulators, and other equipment in, along, across, or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City of Pacific in the exercise of any of the rights and privileges conferred by this ordinance.

Section 5. This ordinance shall not be effective unless and until the grant of rights, permission and authority herein contained be approved by a majority of the electors voting thereon at an election, pursuant to another ordinance providing for such election. If such grant be so approved at such election, this ordinance, and the grant herein contained shall be and continue in force and effect for a period of twenty (20) years from the date of such election; providing, however, that Laclede, its successors or assigns, shall, within sixty (60) days after the date of approval by a majority of the voters at such election, file with the City Clerk an acceptance of the provisions of this ordinance; and provided further that if such acceptance be not so filed within said period of sixty (60) days, all rights, privileges and authority herein granted shall become null and void.

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Pacific as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use

solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Read three (3) times and passed by the Board of Aldermen of the City of Pacific, Missouri, this 15 day of January, 1998.

A. W. Wiest  
Mayor

ATTEST:

J. Ann Hoekne  
City Clerk

Approved this 15 day of January, 1991.

A. W. Wiest  
Mayor

ATTEST:

J. Ann Hoekne  
City Clerk

**BILL NO. 2012-11**

**ORDINANCE NO. 1490**

**AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF PAGEDALE, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.**

**BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF PAGEDALE, MISSOURI, AS FOLLOWS:**

**Section 1.** The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Pagedale, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Pagedale, and in territory adjacent to said City and for purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

**Section 2.** Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Pagedale, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commissions of Missouri or in accordance with such amended rules and

regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

**Section 3.** The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

**Section 4.** As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

**Section 5.** Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Pagedale, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with 88.251 RSMo (Supp. 1996).

**Section 6.** Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any way impair or effect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Pagedale, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

**Section 7.** All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

**Section 8.** This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

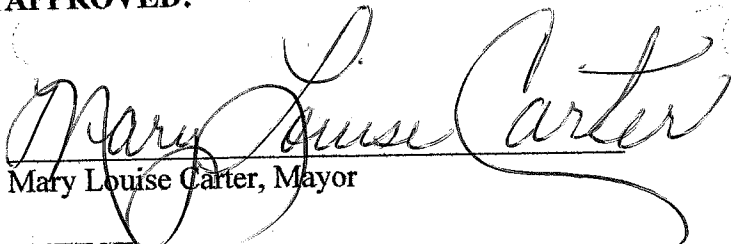
**Section 9.** If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application



of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

**PASSED AND APPROVED THIS 14<sup>TH</sup> DAY OF JUNE 2012.**

**APPROVED:**

  
Mary Louise Carter, Mayor

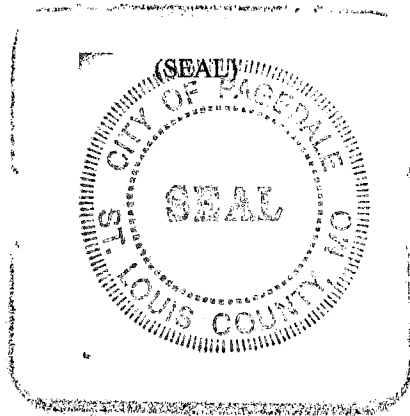
**ATTEST:**

  
Fran Stevens, City Clerk

I hereby certify the forgoing Ordinance No. 1490 was enacted on the 14 day of June, 2012 by the Board of Alderpersons of the City of Pagedale, Missouri and further approved on the 14 day of June, 2012 by the Board of Alderpersons of the City of Pagedale, Missouri.

Fran Stevens  
Fran Stevens, City Clerk

6-15-12  
Date



BILL NO. 1409

ORDINANCE NO. 1375-20

AN ORDINANCE GRANTING TO SPIRE MISSOURI INC., A MISSOURI CORPORATION, OPERATING A GAS DISTRIBUTION SYSTEM IN THE CITY OF PARK HILLS, MISSOURI, ITS SUCCESSORS OR ASSIGNS, A FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM IN SAID CITY AND RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK HILLS, MISSOURI.

Section 1. The right, permission and authority for a period of twenty (20) years is hereby granted to, and vested in Spire Missouri Inc., a corporation of the State of Missouri (hereinafter sometimes called "Spire" or "Company"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, extend and maintain all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment, with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Park Hills, (hereinafter sometimes called "City") as now fixed and within any future extensions of its limits as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing natural gas for light, heat, power and other purposes within the City, and in territory adjacent to said City and for the purpose of transporting and transmitting natural gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to lawful regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Spire, its successors or assigns, in the City, shall be made in accordance with the rules and regulations governing such extensions and additions by Spire now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Spire, its successors or assigns, as may hereafter become effective in the manner provided by law. The financial responsibility for relocations of the Company's facilities within the City's rights-of-way shall be determined by State law as shall be specified by statute or common law at the time of the relocation, and nothing herein shall be construed to confer upon the Company or the City any rights inconsistent therewith. The City will not vacate any public right-of-way containing any Company facilities without first advising the Company of its intention to vacate the right-of-way and cooperating with the Company in reasonable attempts to obtain the necessary property rights to maintain and construct in the future its facilities in the right-of-way proposed to be vacated.

Section 3. Spire shall indemnify and hold said City harmless from all liability, judgments, decrees, costs, expenses and attorneys' fees incurred or imposed on account of injury or damage to persons or property arising from the negligent acts or omissions or mismanagement of Spire or its subcontractors in the construction, reconstruction, excavation, extension, restoration, repair, or maintenance of the natural gas distribution system or any extension thereof including mains, service pipes, conduits, conductors or other equipment in, along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City, including in the exercise of any of the rights and privileges conferred by this ordinance, and Spire shall not unnecessarily impede public travel on the streets, roads, sidewalks, alleys, squares, bridges and public grounds of said City when making repairs, improvements and extensions to its natural gas distribution system, and Spire shall leave all such streets, roads, sidewalks, alleys, squares, bridges and public grounds upon which it may enter for the purposes herein authorized in as good condition as they were at the date of said entry.

Section 4. The rights, privileges and authority hereby granted shall inure to and be vested in Spire, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Spire shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 5. As consideration for the rights and privileges conferred by this ordinance, Spire shall pay to City the gross receipts taxes, if any, lawfully provided for by applicable ordinances, as the same may be amended from time to time. Charges to the Company rights-of-way management costs shall be in accordance with section 67.1840 RSMo.

Section 6. Spire shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with Section 71.520 RSMo.

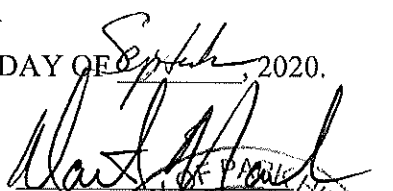
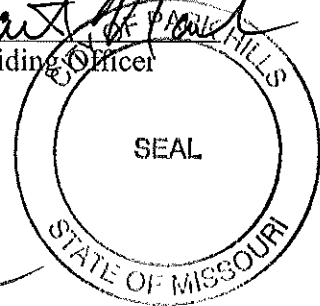
Section 7. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of any right, permission or authority which Spire, its successors or assigns, may have independently of this ordinance; nor shall any use by Spire, its successors or assigns, of public property or places in the City, as authorized by this ordinance or service rendered by Spire, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Spire, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 6 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

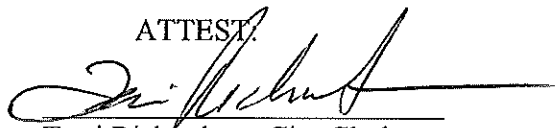
Section 8. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall not relieve Spire of the obligation to comply with any lawful ordinance now existing in the City or enacted in the future requiring Spire to obtain written permits or other approval from the City prior to commencement of construction of facilities within the street rights-of-way.


Section 10. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

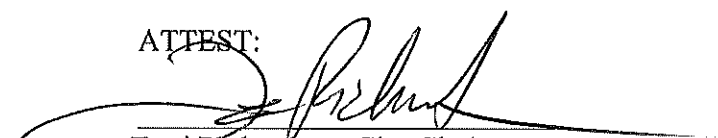
DULY READ TWO TIMES AND PASSED THIS 8<sup>th</sup> DAY OF September, 2020.

  
Presiding Officer  


ATTEST:  
  
Terri Richardson, City Clerk

APPROVED THIS 8<sup>th</sup> DAY OF September, 2020

  
Mayor

ATTEST:  
  
Terri Richardson, City Clerk



ORDINANCE 427

BILL NO. 435

AN ORDINANCE TO MAINTAIN THE TAX RATE OF FIVE PERCENT OF GROSS RECEIPTS AS AN OCCUPATION OR LICENSE TAX FOR PUBLIC UTILITIES AS PROVIDED BY SECTION 393.275 OF THE REVISED CODE OF THE STATE OF MISSOURI.

WHEREAS, Ordinance 282 of the City of Pasadena Hills, Missouri, establishes a license or occupational tax on the gross receipts of providers of gas or gas services to the residents of the City of Pasadena Hills at the rate of Five Percent (5%) of the gross receipts of each said provider; and

WHEREAS, Section 393.275 of the Revised Statutes of the State of Missouri requires that municipalities which impose a tax on the gross receipts of public utilities, including providers of gas or gas services, affirmatively act by ordinance to maintain such tax rates under certain circumstances; and

WHEREAS, it is the sense of the Board of Aldermen of the City of Pasadena Hills that the best interests of the residents of the City will be served by maintaining the present tax rate on the gross receipts of public utilities;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PASADENA HILLS, MISSOURI AS FOLLOWS:

Section One.

In accord with the authority granted to the City of Pasadena Hills, Missouri under Section 393.275.2 of the Revised Statutes of the State of Missouri, the rate of the license or occupational tax for each provider of gas or gas services within the City of Pasadena Hills, which tax was previously established by law at the rate of Five Percent (5%) of the gross receipts of each said provider derived from business within the City of Pasadena Hills, is hereby maintained at the aforesaid rate.

Section Two.

This Ordinance shall be in full force and effect both from and after its passage and approval by the Mayor.

ORDINANCE 427

BILL NO. 435

PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF PASADENA HILLS THIS  
17 DAY OF October, 1992.

  
Presiding Officer


Attest:

  
Jane Floyd, City Clerk

APPROVED THIS 17 DAY OF October, 1992.

  
Charles D. Lehman, Mayor

Attest:

  
Jane Floyd, City Clerk

Introduced by Alderman Olsen

AN ORDINANCE PROVIDING FOR A LICENSE TAX TO BE PAID BY PERSONS IN THE BUSINESS OF SUPPLYING GAS OR GAS SERVICE FOR COMPENSATION FOR ANY PURPOSE IN THE CITY OF PASADENA HILLS, MISSOURI. PRESCRIBING THE AMOUNT THEREOF AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF; AND PRESCRIBING THAT THIS ORDINANCE SHALL NOT BE EFFECTIVE UNLESS AND UNTIL APPROVED BY A MAJORITY OF THE VOTERS VOTING THEREON AT AN ELECTION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PASADENA HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The following terms whenever used or referred to in this ordinance shall have these respective meanings unless a different meaning clearly appears from the context:

(1) "Persons" as used in this ordinance shall include any individual, firm, co-partnership, association, corporation, trust, trustee, receiver, syndicate or any other group or combination acting as a unit in the plural as well as the singular number.

(2) "Gross receipts" means the aggregate amount of all sales and charges from the business of supplying gas or gas service made by any person in the City of Pasadena Hills during any period less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off.

Section 2. Every person now or hereafter engaged in the business of supplying gas or gas service for compensation for any purpose in the City of Pasadena Hills shall pay to the City of Pasadena Hills, as a license tax, a sum equal to Five percent (5%) of the gross receipts derived from such business within the City of Pasadena Hills.

Section 3. Every person engaged in any business described in Section 2 hereof, shall file with the City Clerk of the City of Pasadena Hills, on the last day of December, 1982, a sworn statement of the gross receipts of such person derived from the transaction of such business from October 1, 1982 to the last day of October, 1982, and thereafter a similar statement of the last day of each month for the preceding month; and shall pay the tax at the time of filing the statement. The City Clerk of the City of Pasadena Hills, or such other City official as may be authorized by the Board of Alderman, shall be and is hereby authorized to investigate the correctness and accuracy of such statement and for that purpose shall have access at all reasonable times during normal business hours to examine the books, documents, papers and records of any person making such statement in order to ascertain the accuracy thereof.

Section 4. The tax herein required to be paid shall be in lieu of any other occupation or license tax required of any person engaged in any of the businesses described in Section 2 hereof, but nothing herein contained shall be so construed as to exempt any such person from the payment to the City of Pasadena Hills of the tax which the City of Pasadena Hills levies upon the real and personal property belonging to any such person, nor the tax required of merchants or manufacturers for the sale of anything other than gas or gas service, nor shall the tax herein required exempt any such person from the payment of any other tax which may be lawfully required other than any occupation tax on any of the businesses described in Section 2 hereof.

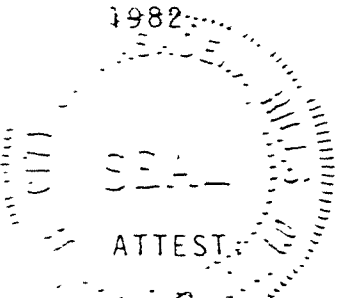


Section 5. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional, ultra vires or void for any matter by a decree in judgment of a court of competent jurisdiction, such judgment and decree shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this ordinance.

Section 6. Any person engaged in any of the businesses described in Section 2 hereof who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than One Hundred (100) Dollars nor more than Five Hundred (500) Dollars, and each day's violation of this ordinance shall constitute a separate offense.

Section 7. This ordinance shall become effective and the tax herein imposed be applicable to gas or gas service furnished for all billing periods beginning on and after October 1, 1982, provided that the license tax as herein imposed is approved by a majority of the voters of the city voting thereon at an election.

PASSED AND APPROVED THIS 14<sup>th</sup> DAY OF June, 1982.



William G. Burns  
Mayor

Coreen M. Blum  
City Clerk

I, COREEN M. Blum, the undersigned, City Clerk of the City of Pasadena Hills, Missouri, hereby certify that the foregoing is a true and correct copy of Ordinance No. 282, as passed by the Board of Aldermen of the City of Pasadena Hills, Missouri and which is on file in the permanent records of my office.

Coreen M. Blum  
City Clerk

Aye

NAY

W. J. Habel  
John L. Owen  
Crawford A. King Jr.



BILL NO. 1401

ORDINANCE NO. 1401

AN ORDINANCE GRANTING TO MISSOURI NATURAL GAS COMPANY, A DIVISION OF LACLEDE GAS COMPANY, A MISSOURI CORPORATION, OPERATING A GAS DISTRIBUTION SYSTEM IN THE CITY OF PEVELY, MISSOURI, ITS SUCCESSORS OR ASSIGNS, A FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM IN SAID CITY AND RELATING THERETO.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF PEVELY, MISSOURI.

Section 1. The right, permission and authority for a period of twenty (20) years is hereby granted to, and vested in Missouri Natural Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Missouri Natural"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, extend and maintain all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Pevely, as now fixed and within any future extensions of its limits as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Pevely, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Missouri Natural, its successors or assigns, in the City of Pevely, shall be made in accordance with the rules and regulations governing such extensions and additions by Missouri Natural now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Missouri Natural, its successors or assigns, as may hereafter become effective in the manner provided by law. The financial responsibility for relocations of the Company's facilities within the City's rights-of-way shall be determined by State law as shall be specified by Statute or common law at the time of the relocation, and nothing herein shall be construed to confer upon the Company or the City any rights inconsistent therewith. The City will not vacate any public right-of-way containing any Company facilities without first advising the Company of its intention to vacate the right-of-way and cooperating with the Company in reasonable

attempts to obtain the necessary property rights to maintain its facilities in the right-of-way.

Section 3. Missouri Natural shall hold said City harmless from all liability, including injury or damage to person or property arising from the negligence or mismanagement of Missouri Natural or its subcontractors in the construction, reconstruction, excavation, extension, restoration or maintenance of the mains, service pipes, conduits, conductors or other equipment in along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City of Pevely in the exercise of any of the rights and privileges conferred by this ordinance.

Section 4. The rights, privileges and authority hereby granted shall inure to and be vested in Missouri Natural, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Missouri Natural shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 5. As consideration for the rights and privileges conferred by this ordinance, Missouri Natural shall pay to said municipality the gross receipts taxes, if any, lawfully provided for by applicable ordinances, as the same may be amended from time to time so far as such ordinances are reasonably applicable to the condition and business of the Company, and charges to the Company for any use of the public rights-of-way shall be limited to reasonable right-of-way management costs.

Section 6. Missouri Natural shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Pevely, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 7. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Missouri Natural, its successors or assigns, may have independently of this ordinance; nor shall any use by Missouri Natural, its successors or assigns, of public property or places in the City of Pevely, as authorized by this ordinance or service rendered by Missouri Natural, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Missouri Natural, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 6 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly

declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 8. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall not relieve Missouri Natural of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Missouri Natural to obtain written permits or other approval from the City prior to commencement of construction of facilities within the street rights-of-way thereof, except Missouri Natural shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 10. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Passed this 28<sup>th</sup> day of March, 2016.

Stephanie M. Haas  
Mayor, City of Pevely

Signed and approved this 28<sup>th</sup> day of March, 2016.

Stephanie M. Haas  
Mayor, City of Pevely

ATTEST:

Hubert Adams  
City Clerk

To Put Bill 1401 on its 1<sup>st</sup> Reading

by Caption

Motioned: Steve Markus

Seconded: Bill Ryan

	<u>Aye</u>	<u>Nay</u>
Ryan	<u>X</u>	___
Shackelford	<u>X</u>	___
Markus	<u>X</u>	___
Young	<u>X</u>	___
Walters	<u>X</u>	___
Menkhus	<u>X</u>	___

Absent: Ø

To Accept Bill 1401 on its 1<sup>st</sup> Reading

by Caption

Motioned: Don Menkhus

Seconded: Steve Markus

	<u>Aye</u>	<u>Nay</u>
Ryan	<u>X</u>	___
Shackelford	<u>X</u>	___
Markus	<u>X</u>	___
Young	<u>X</u>	___
Walters	<u>X</u>	___
Menkhus	<u>X</u>	___

Absent: Ø

To Put Bill 1401 on its 2<sup>nd</sup> Reading

by Caption

Motioned: Russ Shackelford

Seconded: Ed Walters

	<u>Aye</u>	<u>Nay</u>
Ryan	<u>X</u>	___
Markus	<u>X</u>	___
Menkhus	<u>X</u>	___
Shackelford	<u>X</u>	___
Walters	<u>X</u>	___
Young	<u>X</u>	___

Absent: Ø

To Approve Bill 1401

Motioned: Don Menkhus

Seconded: Russ Shackelford

	<u>Aye</u>	<u>Nay</u>
Ryan	<u>X</u>	___
Markus	<u>X</u>	___
Menkhus	<u>X</u>	___
Shackelford	<u>X</u>	___
Walters	<u>X</u>	___
Young	<u>X</u>	___

Absent: Ø

AN ORDINANCE GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION D/B/A MISSOURI NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, UNDERGROUND VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF PILOT KNOB, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PILOT KNOB, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri d/b/a Missouri Natural Gas Company ("Missouri Natural"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, underground vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Pilot Knob, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use (collectively, "City"), for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City, and in territory adjacent to said City, and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Missouri Natural, its successors or assigns, in the City, shall be made in accordance with the rules and regulations governing such extensions and additions by Missouri Natural now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by

Missouri Natural, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Missouri Natural, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Missouri Natural shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. As consideration for the rights and privileges conferred by this ordinance, Missouri Natural shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 5. Missouri Natural shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City, and this ordinance shall continue and remain in full force and effect for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo. (2000).

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority that Missouri Natural, its successors or assigns, may have independently of this ordinance. Additionally, any use by Missouri Natural, its successors or assigns of public property or places in the City as authorized by this ordinance or service rendered by Missouri Natural, its successors or assigns in said City, shall not be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, or non-compliance with any obligation incident to, any right, permission or authority vested in Missouri Natural, its successors or assigns independently of this ordinance. The acceptance provided for in Section 6 of this ordinance, and compliance with each and every provision of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Missouri Natural of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Missouri Natural to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Missouri Natural shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this

ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Duly read and passed this 6<sup>th</sup> day of March, 2006.

Mafine Rettmer  
Mayor

ATTEST:

Jami Bowers  
City Clerk

Approved this 6<sup>th</sup> day of March, 2006.

Mafine Rettmer  
Mayor

ATTEST:

Jami Bowers  
City Clerk



BILL NO. 156

ORDINANCE NO. 2008-80

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF PINE LAWN, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PINE LAWN, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Pine Lawn, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Pine Lawn, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Pine Lawn, shall be made in accordance with the rules and regulations governing such extensions and additions by

Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 5. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Pine Lawn, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Pine Lawn, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required

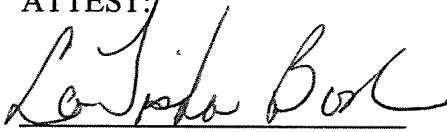
to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Read three (3) times and passed by the City Council of the City of Pine Lawn, Missouri, this 28<sup>th</sup> day of August, 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved this 28<sup>th</sup> day of August, 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**AN ORDINANCE OF THE CITY OF POPLAR BLUFF, MISSOURI, GRANTING A FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION PLANT AND SYSTEM WITHIN THE CITY TO SPIRE MISSOURI INC**

**WHEREAS**, Section 71.530 RSMo., grants Missouri cities the authority to contract with a corporation for the purpose of supplying gas; and,

**WHEREAS**, Spire Missouri Inc. (“Spire”) has approached the City with a request to renew the franchise granted to Spire for an additional twenty-year term; and,

**WHEREAS**, the City Council desires to extend said franchise to Spire under the terms and conditions provided in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POPLAR BLUFF, MISSOURI, AS FOLLOWS:**

**Section 1.** The right, permission and authority for a period of twenty (20) years is hereby granted to Spire Missouri Inc., a corporation of the State of Missouri (hereinafter referred to as “Spire” or “Company”), its successors and assigns, to construct, reconstruct, excavate for, place, replace, extend and maintain all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators, meters, sensors, routers, poles, antennae, and any and all other equipment, appurtenances and fixtures as may be reasonably necessary or desirable in the operation of a natural gas distribution system, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges within the corporate limits of the City of Poplar Bluff, (hereinafter referred to as “City”) as now fixed and within any future extensions of its limits as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing natural gas for light, heat, power and other purposes within the City, and in territory adjacent to said City and for the purpose of transporting

and transmitting natural gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to lawful regulation by the City in the exercise of its police powers. For the purposes of this Ordinance, unless the context clearly indicates otherwise, the term “right-of-way” or “rights-of-way” shall include streets, roads, alleys, sidewalks, squares, and bridges and areas dedicated to the City for public utility use.

**Section 2.** Extensions of, and additions to, the distribution system maintained by Spire, its successors or assigns, in the City, shall be made in accordance with the rules and regulations governing such extensions and additions by Spire now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Spire, its successors or assigns, as may hereafter become effective in the manner provided by law. The financial responsibility for relocations of the Company’s facilities within the City’s rights-of-way shall be determined by State law as shall all be specified by statute or common law at the time of the relocation, and nothing herein shall be construed to confer upon the Company or the City any rights inconsistent therewith. The City will not vacate any public right-of-way containing any Company facilities without first advising the Company of its intention to vacate the right-of-way and cooperating with the Company in reasonable attempts to obtain the necessary property rights to maintain and construct in the future its facilities in the right-of-way proposed to be vacated. City shall also provide Spire with a reasonable opportunity to make arrangements to relocate its facilities before completing any such vacation.



**Section 3.** Spire shall indemnify and hold City harmless from all liability, judgments, decrees, costs, expenses and attorneys' fees incurred or imposed on account of injury or damage to persons or property arising from the negligent acts or omissions or mismanagement of Spire or its subcontractors in the constructions, reconstruction, excavation, extension, restoration, or maintenance of the mains, service pipes, conduits, conductors or other equipment in, along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City in the exercise of any of the rights and privileges conferred by this Ordinance.

**Section 4.** The rights, privileges and authority granted herein shall inure to and be vested in Spire, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Spire shall devolve and be binding upon its successors and assigns, successively, in the same manner.

**Section 5.** As consideration for the right and privileges conferred by this Ordinance, Spire shall pay to City the gross receipts taxes, if any, lawfully provided for by applicable ordinances, as the same may be amended from time to time. In addition, Spire shall pay any applicable right-of-way management costs imposed by the City, subject to provisions of Section 67.1840 RSMo.

**Section 6.** Spire shall, within thirty days after the passage and approval of this Ordinance, file a memorandum detailing Spire's acceptance thereof with the City Clerk. Upon receipt by the City Clerk of such memorandum, the franchise granted herein shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years.

**Section 7.** Neither acceptance of, nor compliance with, the provisions of this Ordinance shall in any ways impair or affect, or constitute or be construed as a relinquishment or waiver of any right, permission or authority which Spire, its successors or assigns, may have independently of this Ordinance; nor shall any use by Spire, its successors or assigns, of public property or places in the City, as authorized by this Ordinance or service rendered by Spire, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this Ordinance or as service referable solely to this Ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Spire, its successors or assigns, independently of this Ordinance; and the acceptance provided for in Section 6 of this Ordinance, and each and every compliance with the provisions of this Ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors and assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

**Section 8.** A covenant of good faith and fair dealing being implied into every Missouri contract, during the term of this Franchise, City shall not prohibit the connection of or service to new natural gas customers within its boundaries, nor take any action to require the discontinuance of natural gas service, other than as may be set forth in the rules and regulations of the Missouri Public Service Commission.

**Section 9.** This Ordinance shall not relieve Spire of the obligation to comply with any lawful ordinance now existing in the City or enacted in the future requiring Spire to obtain written permits or other approval from the City prior to commencement of construction of facilities within the City rights-of-way.

**Section 10.** If any of this Ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

**READ TWO TIMES AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
POPLAR BLUFF, MISSOURI, THIS 5<sup>TH</sup> DAY OF APRIL, 2021.**

**APPROVED:**



**MAYOR**

**ATTEST:**

  
**CITY CLERK**



AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF UP TO TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF RICHMOND HEIGHTS, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, AS FOLLOWS:

SECTION 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Richmond Heights, as now fixed and as hereafter extended (hereinafter sometimes called "City"), and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Richmond Heights, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

SECTION 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Richmond Heights, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

SECTION 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

SECTION 4. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

SECTION 5. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Richmond Heights, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise from the effective date as determined in accordance with §88.251 RSMo. (2000), however, this Agreement shall be in effect from year to year and may be terminated by notice from either party at least ninety days prior to the end of each calendar year. Unless such notice is given the Agreement shall renew each year for a maximum of twenty years total.

SECTION 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Richmond Heights, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

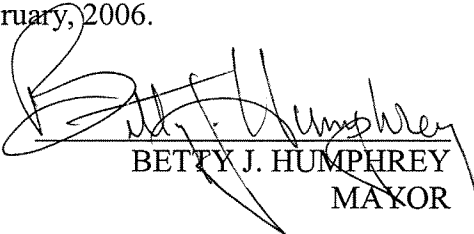
SECTION 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

SECTION 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities.


SECTION 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 10. This Agreement shall be in full force and effect on the thirty-first day after its passage and approval as provided by law.

PASSED and APPROVED this 13<sup>th</sup> day of February, 2006.

  
BETTY J. HUMPHREY  
MAYOR

ATTEST:

  
PATRICIA S. VILLMER  
DEPUTY CITY CLERK

APPROVED AS TO FORM:

  
KENNETH J. HEINZ  
CITY ATTORNEY

First reading: February 6, 2006  
Second reading: February 13, 2006

STATE OF MISSOURI       )  
  ) ss  
COUNTY OF ST. LOUIS    )

I, Patricia Vellmer, City Clerk within and for the City of  
Richmond Heights in the State and County aforesaid, do hereby certify that the foregoing  
constitutes a full, true and correct copy of Ordinance No. 4969 of said City as passed  
by the City Council and approved by the Mayor on the 13<sup>th</sup> day of February  
2006.

Patricia A. Vellmer  
City Clerk

(SEAL)

BILL NO. 1720

ORDINANCE NO. 1647

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF ROCK HILL, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ROCK HILL, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Rock Hill, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Rock Hill, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Rock Hill, shall be made in accordance with the rules and regulations governing such extensions and additions by

Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 5. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Rock Hill, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Rock Hill, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

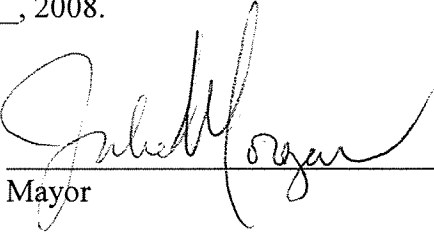
Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required

to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

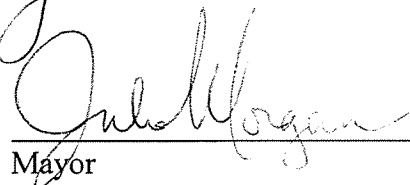
Read three (3) times and passed by the Board of Aldermen of the City of Rock Hill, Missouri, this 15<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

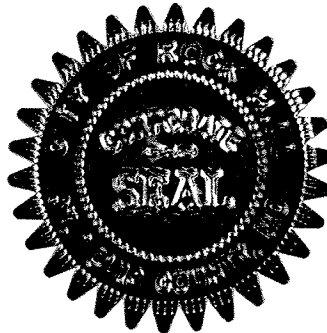
  
\_\_\_\_\_  
City Clerk

Approved this 15 day of January 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF SHREWSBURY, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF SHREWSBURY, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of Shrewsbury, as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Shrewsbury, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of Shrewsbury, shall be made in accordance with the rules and regulations governing such extensions and additions by



Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 5. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Shrewsbury, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with §88.251 RSMo (Supp. 1996).

Section 6. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of Shrewsbury, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 5 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 6, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 8. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof, except Laclede shall not be required

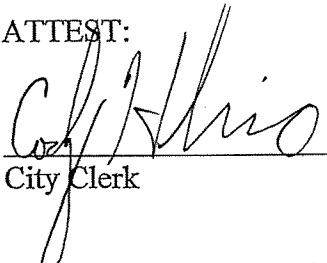
to obtain permits or other approval from the City for the maintenance and repair of its facilities.

Section 9. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

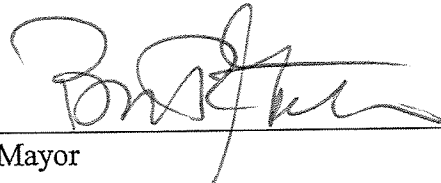
Read three (3) times and passed by the Board of Alderman of the City of Shrewsbury, Missouri, this 24<sup>th</sup> day of March, 2009.

  
\_\_\_\_\_  
Mayor

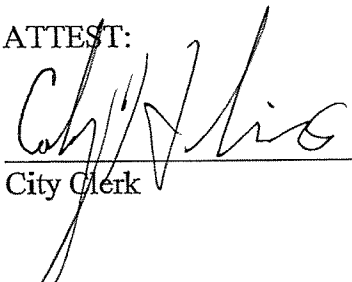
ATTEST:

  
\_\_\_\_\_  
City Clerk

Approved this 24<sup>th</sup> day of March, 2009.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

First reading 12-3-07  
Second reading 12-3-07

Introduced by Mayer James

BILL NO. 2582

ORDINANCE NO. 2510

**AN ORDINANCE AMENDING SECTION 620.020 OF THE MUNICIPAL CODE OF THE CITY OF ST. ANN TO REFLECT A LICENSE TAX INCREASE ON THE GROSS RECEIPTS OF UTILITIES SUPPLYING SERVICES TO NON-RESIDENTIAL AND RESIDENTIAL CUSTOMERS WITHIN THE CITY OF ST. ANN, MISSOURI**

---

**WHEREAS**, Section 94.270 RSMo 2000 as amended authorizes fourth class cities to impose a license tax on the gross receipts of utility companies doing business and supplying service within such city, and

**WHEREAS**, the Board of Aldermen has determines that an increase in the utility tax is critical for the city to continue to provide essential and better municipal services to the city's residents and business, and

**WHEREAS**, the voters of St Ann of Nov 6, 2007, approved a proposition which stated

“Shall a City of St Ann license tax of nine percent (9%) be imposed on the gross receipts of companies engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone and telecommunication, including cellular communication service to non-residential customers and a license tax of six percent (6%) be imposed on the gross receipts of companies engaged in the business of supply or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone telecommunication, including cellular communication service to residential customers?”

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. ANN, MISSOURI, AS FOLLOWS:**

Section 1 Section 620 020 of the St Ann Municipal Code is hereby amended by deleting the entire section and substituting in lieu thereof the following language

“A license tax of nine percent (9%) is imposed on the gross receipts of companies engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone and telecommunication, including cellular communication service to non-residential customers and a license tax of six percent (6%) is imposed on the gross receipts of companies engaged in the business of supply or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone telecommunication, including cellular communication service to residential customers ”

Section 2 This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law

AN ORDINANCE MAINTAINING THE RATE OF 4% ON THE LICENSE TAX ON THE GROSS RECEIPTS OF UTILITY CORPORATIONS; DEFINING THE TERM, UTILITY CORPORATIONS; PROVIDING FOR THE TIME OF PAYMENT; REPEALING ALL PRIOR ORDINANCES CONCERNING THE LICENSE TAX ON GROSS RECEIPTS OF UTILITY CORPORATIONS; PROVIDING PENALTIES FOR VIOLATION HEREOF.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. ANN, MISSOURI, as follows:

Section 1: The license tax on the gross receipts of utility corporations, at the rate of four percent (4%), is hereby maintained.

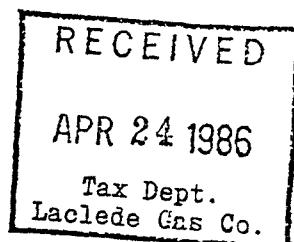
Section 2: For the purpose of this ordinance, the following terms are hereby defined:

a. Utility Corporation means every person, firm, company or corporation now or hereafter engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone service in the City of St. Ann.

b. Gross receipts means, with respect to any monthly period, the aggregate amount of all sales and charges during such period less credits, discounts, refunds, sales taxes and uncollectible accounts actually charged off during the period.

Section 3: Each utility corporation shall file with the City Clerk a monthly statement, verified, of the gross receipts of such utility corporation, derived from the transaction of such business within the City for the prior month's period. Said monthly statements shall be filed within 30 days after the close of each such month and the tax hereunder shall be paid at the time of filing of such statement.

Section 4: The City Clerk is hereby authorized to investigate the correctness and accuracy of any such statement, and, for that



purpose, shall have access at all reasonable times to the books and records of any such corporation in order to ascertain the accuracy of the statement.

Section 5: All ordinances concerning the license tax on the gross receipts of utility corporations, heretofore adopted, are hereby repealed.

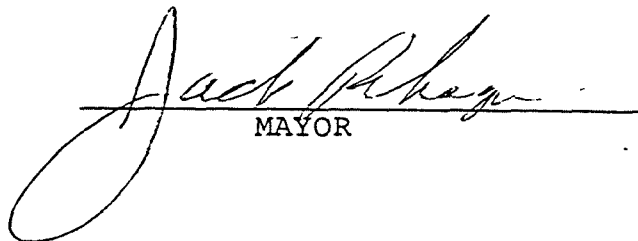
Section 6: Any person, firm, company or corporation violating any of the provisions hereof shall, upon conviction, be subject to the penalties provided for violation of City ordinances.

Section 7: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

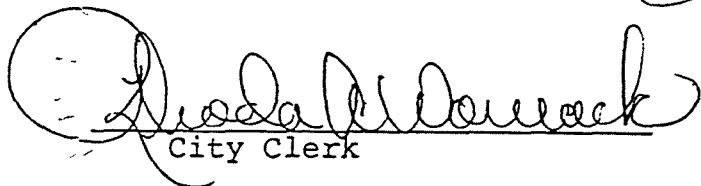
Passed this 21st day of April, 1986.

Approved this 22nd day of April, 1986.

APPROVED:

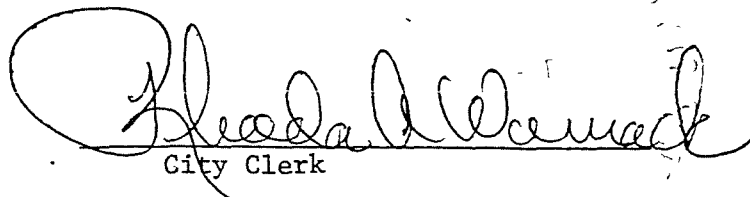
  
MAYOR

ATTEST:

  
City Clerk

I, Rhoda A. Womack, City Clerk of the City of St. Ann, do certify that the above is a true and correct copy of Bill No. 1223, Ordinance No. 1192 as the same appears on record in the ordinance above of the City of St. Ann.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the City of St. Ann this 22nd day of April, 1986.

  
City Clerk

RECEIVED  
AUG 14 1985  
Tax Dept.  
Laclede Gas Co.  
ORDINANCE NO.

BILL NO 1059

1038

AN ORDINANCE AMENDING ORDINANCE NO. 272 OF THE CITY OF ST. ANN, AS AMENDED BY ORDINANCE NOS. 299, 885 AND 1031; PROVIDING FOR A REDUCTION IN THE LICENSE OR OCCUPATIONAL TAX APPLICABLE TO THE BUSINESS OF SUPPLYING GAS OR GAS SERVICE IN THE CITY: AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. ANN, MISSOURI, as follows:

Section 1. Section 1 of Ordinance No. 272 of the City of St. Ann, Missouri, as amended by Ordinance Nos. 299, 885 and 1031 is hereby repealed, and the following Section 1 is adopted and substituted for said section:

"Section 1. Every person, firm, or corporation now or hereafter engaged in the business of supplying or furnishing gas or gas service in the City of St. Ann, Missouri, shall pay to the City as a license or occupational tax, four percent (4%) of the gross receipts derived from such business within the City. The term 'gross receipts' means the aggregate amount of all sales and charges of the commodities or services hereinabove described in the City of St. Ann, Missouri, during the period, less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off."

Section 2. This Ordinance shall become effective on September 1, 1983, and the tax rate of four percent (4%) as provided herein shall be applicable to each billing period beginning on and after September 1, 1983.

Passed this 1st day of August, 1983.  
Approved this 2nd day of August, 1983.

APPROVED:

Clarence B. Timmerman  
Mayor

ATTESTED:

Margaret Jella  
City Clerk

Bill No. 11698

Ordinance No. 15-210

Sponsor: Mary Ann Ohms

An Ordinance Authorizing and Approving a Franchise Agreement with Laclede Gas Company; and Authorizing the Mayor to Execute a Franchise Agreement

WHEREAS, Article XI, Section 11.1 of the City of St. Charles Charter grants to the City Council the power to grant franchises for periods not longer than twenty (20) years; and

WHEREAS, a franchise agreement to an existing utility serving the public of the City of St. Charles serves largely as a document communicating the expectations and procedures to be followed by the City and the utility in working together; and

WHEREAS, in addition, Article II, Section 2.1 of the City of St. Charles Charter authorizes the City Council to exercise legislative power pertaining to public health and welfare, police and traffic, building construction, planning and zoning, and on such other subjects as may be authorized by the Constitution or by applicable law, which includes the power to grant permission for the use of public rights-of-way for specified purposes; and

WHEREAS, Pursuant to Ordinance 2005-252, effective September 30, 2005, the City of St. Charles renewed the existing franchise of Laclede Gas Company (hereinafter, "Laclede") for a period of ten (10) years that provided the terms under which the City granted permission to said company for the use of public streets, roads, highways and public places in the City for the purpose of furnishing gas power and energy to City residents, and that franchise shall expire on or about September 30, 2015; and

WHEREAS, the City of St. Charles now desires to enter into a franchise agreement with Laclede, as provided herein.

NOW, THEREFORE, Be It Ordained by the Council of the City of St. Charles, Missouri, as Follows:

SECTION 1. A Franchise Agreement with Laclede Gas Company in substantially the form and content as attached hereto as Exhibit A and incorporated in its entirety into this ordinance by this reference is approved. The Mayor and City Clerk are authorized to execute the Franchise Agreement and perform all acts necessary to carry out the intent of this ordinance.

SECTION 2. Laclede shall, within sixty (60) days after passage and approval of this ordinance, file its acceptance of this ordinance with the Clerk of the City of St. Charles, Missouri and this ordinance and the Franchise Agreement shall become effective from the date such acceptance is filed with the City Clerk. A form of the acceptance is attached to this ordinance as Exhibit B.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

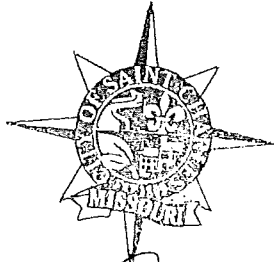
SECTION 4. This ordinance shall be of full force and effect from and after the date the acceptance from Laclede referenced in Section 2 is filed with the City Clerk.

October 6, 2015  
Date Passed

10/7/15  
Date Approved by Mayor

Mary Ann Ohms  
Mary Ann Ohms, Presiding Officer

Sally A. Faith  
Sally A. Faith, Mayor



Attest:  
[Signature]  
City Clerk

Approved as to Form:  
[Signature] 8-14-2015  
Michael J. Valenti, City Attorney      Date



(15-595  
Ord. 15-210  
City copy

**LACLEDE GAS COMPANY FRANCHISE AGREEMENT**

THIS LACLEDE GAS COMPANY FRANCHISE AGREEMENT (hereinafter, the "Agreement") is made and entered into on October 30 2015, by and between Laclede Gas Company, a corporation organized under the laws of Missouri and in good standing (hereinafter, "Laclede") and the City of St. Charles, Missouri, a constitutional home rule charter city and political subdivision of the State of Missouri (hereinafter, the "City").

**WITNESSETH:**

WHEREAS, by Ordinance 2005-252 of the City Council of the City of St. Charles dated September 30, 2005, Laclede was granted the non-exclusive permission and authority to construct, reconstruct, excavate for, place, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, tanks, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, and extensions thereto as may from time to time be necessary in order to serve the public in the City of St. Charles, Missouri, in, along, across, under and through the streets, roads, bridges, alleys, sidewalks and other public ways and places within the municipal boundaries of the City of St. Charles, Missouri; and

WHEREAS, Laclede has continuously since the date of Ordinance 2005-252, and for some time prior thereto, maintained and operated and extended a gas distribution system in the City of St. Charles, Missouri; and

WHEREAS, Laclede, in order to construct, maintain and make extensions to its existing gas distribution facilities (the "System"), to continue to serve the public in the City of St. Charles, Missouri, seeks an extension of authority therefor, for a period expiring September 30, 2035.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of St. Charles, Missouri, hereby grants to Laclede Gas Company, its successors and assigns, the non-exclusive permission and authority to construct, reconstruct, excavate for, place, maintain, repair, replace, operate and use, all necessary or appropriate mains, service pipes, conduits, conductors, tanks, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, and extensions thereto as may from time to time be necessary in order to serve the public in the City of St. Charles, Missouri, in, along, across, over, under and through the streets, roads, bridges, alleys, sidewalks and other public ways and places within the City of St. Charles, Missouri, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes to the public along said streets, roads, bridges, alleys, sidewalks and other public ways and places, and to transmit gas through the City of St. Charles, Missouri, all as fully set forth in this Agreement as follows:

1. That the right, permission and authority is hereby granted to and duly vested in the Laclede to construct, reconstruct, excavate for, place, maintain, repair, replace, operate and use, all necessary or appropriate mains, service pipes, conduits, conductors, tanks, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and

appliances in connection therewith, and extensions thereto as may from time to time be necessary in order to serve the public in the City of St. Charles, Missouri, in, along, across, over, under and through the streets, roads, bridges, alleys, sidewalks and other public ways and places within the City of St. Charles, Missouri, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes to the public along said streets, roads, bridges, alleys, sidewalks and other public ways and places, and to transmit gas through the City of St. Charles, Missouri, for a period expiring September 30, 2035, under the terms, conditions and regulations herein contained.

2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law. Laclede shall provide gas to the inhabitants of the City in accordance with the rules and regulations on file with the Missouri Public Service Commission, as the same may be modified from time to time. The rates to be charged by Laclede for the transmission, distribution and sale of gas furnished hereunder shall be the lawful rates fixed or approved from time to time by the Missouri Public Service Commission, or any regulatory body that may succeed to the power of said Commission to fix rates within the City. All facilities of Laclede in the City shall be installed and maintained in accordance with the applicable rules and regulations of the Missouri Public Service Commission and the ordinances of the City.

3. Construction, reconstruction, excavation for, placement, maintenance, repair, replacement, extensions to, operation and use of the above-described system is hereby authorized under such reasonable and lawful conditions, and subject to such reasonable inspection fees, as may be prescribed by the City of St. Charles, Missouri, through its Public Works Director, similar employee or designee (hereinafter, sometimes collectively, the "Public Works Director") with the approval of the Governing Body in such manner that such system will in no way interfere with the public use of the roads, streets or alleys of the City of St. Charles, Missouri, or the safety of the public.

4. That prior to any construction on City of St. Charles, Missouri, roads, streets, alleys or rights-of-way:

A. Laclede shall apply for such permits as are required by the City of St. Charles, Missouri, and as a part of that shall submit a plan and profile in duplicate of the area in which the proposed work is to be done, which shall contain sufficient information that a description of the facility and location may be ascertained; and

B. at least twenty-four (24) hours notice shall be given to the Public Works Director before commencing any construction; excepting, however, emergency repair, in which case such work as may be necessary shall be reported to the Public Works Director as early as is reasonably practicable.

5. That Laclede, its successors and assigns, will make, complete, and back fill all

excavations and other operations necessary for the laying of pipe and other facilities in good, neat, and workmanlike fashion, will put all City roads, streets or alleys back into their original condition as reasonably practicable as possible, adhering to accepted practices and standards for road restoration.

6. That in any case where its pipe or other facilities in any way impinges upon a portion of any City road, street, alley, bridge or other City facility, Laclede, its successors and assigns, will maintain such portion in safe and passable condition during the installation of Company's facilities in said portion and thereafter.

7. That in the event that any City road, street, alley, bridge or other City facility shall be relocated or the grade thereof shall in any way be changed, or any other changes shall be made which shall require the moving, relocation or lowering of said pipeline and/or other facilities not located in easement, Laclede, its successors and assigns, will, at its own expense when required by Missouri law, effect such relocation, change or lowering of its said pipeline and/or other facilities to conform to such change or relocation. Laclede shall work diligently with the Public Works Department throughout the planning stages and shall make preparations and take all necessary steps so that all on hand materials needed by utility for the relocation, change or lowering of the pipeline are available as soon as practicable after the Laclede receives notice that the contract has been awarded for a construction project. Laclede agrees it will procure any special order items upon verification by City to Laclede that the project is funded and will proceed. Notice of a preconstruction conference shall serve as such verification. After Laclede receives notice that the contract has been awarded,

Laclede will commence, without unnecessary delay, to make the required changes to its facilities. Nothing shall preclude Laclede from an early start. Laclede shall actively pursue completion of the work to reach the earliest practicable completion date and to minimize interference with the City and its contractor.

8. Laclede, its successors and assigns, will submit to any and all other and additional reasonable rules and regulations as may be prescribed by the Public Works Director with the approval of the Governing Body of the City; however, City shall not enact any rules or ordinances inconsistent with the rights and privileges herein granted and/or allowed or required by Missouri law.

9. This Agreement is not to be construed as an exclusive franchise or permission.

10. Laclede shall hold the City, its officers, elected officials, employees and agents harmless from all liability, including injury or damage to person or property arising from the negligence or mismanagement of Laclede or its subcontractors in the construction, reconstruction, excavation, extension, restoration or maintenance of the mains, service pipes, conduits, conductors, vaults, vaporizers, regulators or other equipment, appurtenances or appliances in, along, across above and under any of the public roads, streets, alleys or public places in the City in the exercise of any of the rights and privileges conferred by this Agreement.

11. As consideration for the rights and privileges conferred by this Agreement:

A. Laclede shall be obligated to pay, and by its acceptance of this Agreement agrees to pay to the City a sum equal to six and seven-tenths percent (6.7%) of Laclede's gross receipts from its business within the corporate limits of the City for each calendar month, or such other gross receipt taxes as may be agreed to by the parties in writing;

B. Laclede shall pay to the City, on or before the last day of each calendar month during the term of this franchise, an amount equal to such percentage from customers within the City for the preceding calendar month;

C. With each payment hereunder, Laclede shall file with the City's Clerk a sworn statement of the gross receipts for the applicable period and also a sworn statement of all payments made by it for such period on account of any of the taxes hereinafter enumerated in subparagraph D. The term "gross receipts" means the aggregate amount of all sales and charges of the commodities or services as herein described from the business of supplying gas or gas service made by Laclede for compensation in the City during any period less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during the period; excepting, however, gross receipts derived from the furnishing of such services to the City which shall not be included in gross receipts nor shall payment be due on such gross receipts; and

D. All payments made pursuant to the provisions of this Section 10 will be reduced by the total of payments made by Laclede for the applicable periods of time or portions thereof on account of any tax levied or imposed by the City upon the business of providing gas or gas service or upon the right or privilege of engaging in such business



within the corporate limits of the City, whether said tax be designated as an occupation tax, a license tax, or otherwise; but not including a sales tax levied or imposed pursuant to ordinances of the City.

12. The execution by the parties to the Agreement shall constitute acceptance of this Agreement by Laclede. This Agreement shall not relieve Laclede of the obligation to comply with any lawful ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the City's roads, streets, alleys, bridges or other City facilities thereof, except Laclede shall not be required to obtain permits or other approval from the City for the maintenance and repair of its facilities within its own easements.

13. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other existing or prior lawful ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

14. If, at any time, during the term of this Franchise Agreement, City grants or renews a franchise to another entity or person for the purposes of transmitting, furnishing and distributing gas for light, heat, power or similar services, and Laclede reasonably believes the other entity or person is granted more favorable treatment, terms, or conditions, then Laclede shall notify City of such treatment, terms, or conditions. Upon receipt of



such notice, City and Laclede shall negotiate in good faith to amend this Agreement to provide Laclede such more favorable treatment, terms or conditions on an equivalent basis. Such amendment shall take into consideration all circumstances that distinguish between Laclede and entity or person receiving the more favorable treatment, terms, or conditions.

15. No franchise, right, privilege or authority given or granted by this Agreement or the Ordinance approving this Agreement shall become effective until there shall have been filed with the City Clerk of the City of St. Charles, Missouri, the written acceptance of the Ordinance by Laclede, in substantially the form attached hereto and marked as Exhibit A. Such acceptance shall be so filed within sixty (60) days from the final passage and approval of this Ordinance, and when so filed, shall, together with its operation by Laclede, its successors or assigns, under the terms of this Ordinance, constitute full consideration for the franchise rights, privileges and authority hereby granted; provided however, that if such acceptance be not so filed within said period of sixty (60) days, all rights, privileges, and authority herein granted shall become null and void.

16. This Agreement, upon its enactment and subject to its acceptance by Laclede as hereinbefore provided, shall continue and remain in full force and effect for a period of twenty (20) years from the effective date as determined in accordance with Section 88.251 of the revised statutes of Missouri, (Supp. 1996).

[Signature page is next page.]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective officers or officials.

LACELDE GAS COMPANY,  
A Missouri Corporation:

BY: Craig R. Hoefel 10/30/15  
Date

Printed Name Craig R. Hoefel

Corporate Attest:

Ellen S. Shew  
Secretary

CITY OF SAINT CHARLES, MISSOURI:

BY: Sally A. Faith 10/7/15  
Sally A. Faith, Mayor Date

ATTEST:

[Signature]  
City Clerk



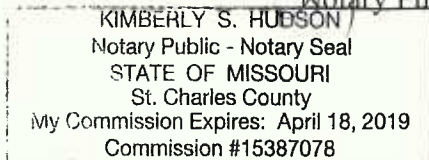
STATE OF MISSOURI )  
 ) SS  
COUNTY OF ST. CHARLES )

On this 7<sup>th</sup> day of October, 2015, before me appeared Sally A. Faith, to me personally known, who being by me duly sworn, did say that she is the Mayor of the City of St. Charles, Missouri, and that said instrument was signed in behalf of said City, by authority of its governing body; and said Mayor acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Kimberly S. Hudson  
Notary Public

My commission expires:



STATE OF MISSOURI )  
 ) SS  
COUNTY OF ST. LOUIS )

On this 30<sup>th</sup> day of October 2015, before me appeared Craig Hoeflerlin, to me personally known, who being by me duly sworn, did say that he is the VP, Operations Svcs of Laclede Gas Company, a Corporation of the State of Missouri, and that said instrument was signed in behalf of said corporation, by authority of its Board of Directors; and said Craig Hoeflerlin acknowledged said instrument to the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Susan K Tucker  
Notary Public

My Commission expires: 4-29-2019



EXHIBIT A

ACCEPTANCE OF LACLEDE GAS COMPANY, A MISSOURI CORPORATION, OF ORDINANCE NO. 2015-210 OF THE CITY OF ST. CHARLES, MISSOURI

TO: The Mayor, City Council, and City Clerk of the City of St. Charles, Missouri

LACLEDE GAS COMPANY, a Missouri Corporation (hereinafter called "Laclede"), for itself, and for its successors and assigns, hereby accepts, subject to the reservation to Laclede therein contained of all rights which Laclede may have independently of the ordinance and Franchise Agreement, all of the terms and provisions of Ordinance No 2015-210 adopted on October 6, 2015 and approved on October 7, 2015.

LACLEDE GAS COMPANY, a Missouri Corporation

By: [Signature]
Name and Title: Craig R. Hoeflerlin

Dated: 10/30/15

STATE OF MISSOURI )
) SS.
COUNTY OF ST. CHARLES )

I, Laura Whitehead, Clerk of the City of St. Charles, Missouri hereby certify the foregoing to be a true and correct copy of the acceptance by Laclede Gas Company, a Missouri Corporation, of the provisions of Ordinance No. 2015-210 as said original acceptance was filed with me on the \_\_\_ day of \_\_\_, 2015, and as the same appears in the records of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of St. Charles, this \_\_\_, day of \_\_\_, 2015.

Name: Laura Whitehead
Clerk, City of St. Charles, Missouri