

Introduced by Alderman Dierker

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 ST. CLAIR, 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 ST. CLAIR, 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 St. Clair, 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 St. Clair, 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 St. Clair, 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 St. Clair 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 St. Clair 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 St. Clair, 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 St. Clair, 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.

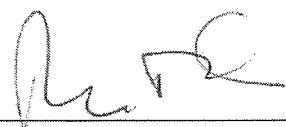
Section 10. This ordinance shall take effect and the rights, privileges and authority hereby granted and renewed shall vest in Missouri Natural upon its filing of an acceptance with the City Clerk according to the terms prescribed herein; subject only to the approval or disapproval of the voters of this City only upon the terms and conditions provided in §88.251 RSMo. (1989). If the City 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 City and shall remain in full force and effect.

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.

READ BY TITLE ONLY TWICE AND PASSED this 22nd day of February, 2011.

VOTE:

NAME	AYE	NAY	NAME	AYE	NAY
Travis Dierker	X	_____	Nathan Tate	(absent)	_____
Connie Marrocco	X	_____	Don Pierce	X	_____

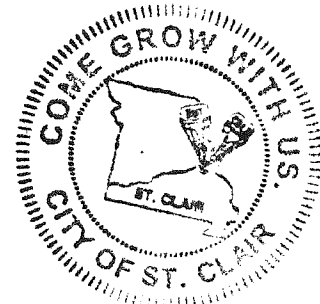


Ron Blum, Mayor

ATTESTED:



Christine Fawe, City Clerk



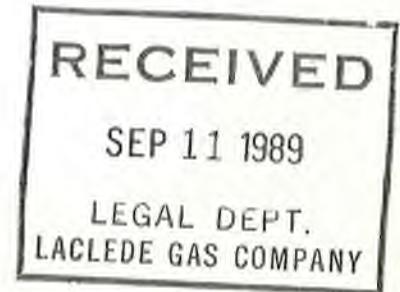
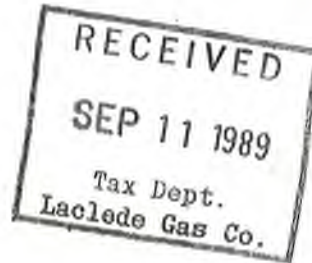


City of St. John

MISSOURI 63114
8762 ST. CHARLES ROCK RD.

TELEPHONE: 314-427-8700

September 8, 1989



Ron Krutzman
Laclede Gas
720 Olive, Room 1320
St. Louis, MO 63101

Dear Mr. Krutzman

Enclosed is a revised ordinance which makes certain technical changes to ordinance No. 365 to allow for the continued collection of gross receipts tax revenue on a monthly basis. This ordinance will be considered by the St. John City Council on September 18th and I anticipate its adoption on October 2nd.

I would greatly appreciate it if you would review these technical changes to insure that they address all of your concerns. If you feel additional language changes are needed to ordinance No. 365, please let me know by September 18th.

Thank you for your attention to this matter.

Sincerely,

Frank L. Myers
Frank L. Myers
City Manager

dmb

BILL NO. _____

ORDINANCE NO. _____

INTRODUCED BY THE COUNCIL AS A WHOLE

**AN ORDINANCE MAKING TECHNICAL
AMENDMENTS TO ORDINANCE NO. 365**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. JOHN, MISSOURI,
AS FOLLOWS:**

SECTION 1: Each and every reference in Ordinance No. 365 to "telephone service" shall be amended to read "local exchange telephone service."

SECTION 2: SECTION 4 of said Ordinance as enacted shall be amended so that it shall hereafter read as follows:

It is hereby made the duty of every person engaged in the business described in SECTION 3 to file with the Clerk of the City of St. John on or before the 30th day of November, 1989, and on the last day of each month thereafter, a sworn statement of the gross receipts of such persons from such business for the preceding calendar month. The Clerk of the City of St. John, or his or her duly authorized deputy, shall be and is hereby authorized to investigate the correctness and accuracy of the statement and for that purpose shall have access at all reasonable times to the books, documents, papers, and records of the person enacting such statement in order to ascertain the accuracy thereof."

SECTION 3: SECTION 5 of said Ordinance as enacted shall be amended so that it shall hereafter read as follows:

At the time of filing the sworn statement, as provided in SECTION 4 hereof, all persons subject to this Ordinance shall pay to the City of St. John an amount equal to five percent (5%) of said persons' gross receipts for said period. Effective October 1, 1989 gross receipts shall be collected at five percent (5%) with a payment date of November 30, 1989. Thereafter within thirty (30) days from the end of each month all persons subject to this Ordinance shall pay to the City of St. John an amount equal to five percent (5%) of said person's gross receipts for said monthly period.

SECTION 4: This Ordinance shall be in full force and effect from and after date of its passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1989.

Mayor of the City of St. John

ATTEST:

City Clerk

First Reading: _____
Second Reading: _____
Third Reading: _____

INTRODUCED BY THE COUNCIL AS A WHOLE

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SECTION 4: This Ordinance shall be in full force and effect from and after date of its passage.

PASSED AND ADOPTED THIS 2ND DAY OF OCTOBER, 1989.



Mayor of the City of St. John

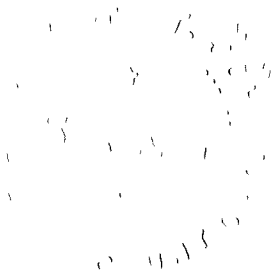
ATTEST:


DEPUTY City Clerk
CONNIE SIEVEKING

First Reading: 9-18-89 L
Second Reading: 9-18-89 S
Third Reading: 10-02-89 S

I hereby certify that this is a true and accurate copy of Ordinance 374 as passed by the St. John City Council on October 2, 1989, and which is on file at the City Hall.


Connie Sieveking
Deputy City Clerk





City of St. John

MISSOURI 63114
8762 ST. CHARLES ROCK RD.

TELEPHONE: 314-427-8700

August 15, 1989

Mr. Vince Tallo
Laclede Gas Company
Operations Department
3950 Forest Park Avenue
St. Louis, MO 63108

Dear Mr. Tallo:

Pursuant to your request, enclosed please find certified copies of Ordinances 365 & 366 as passed by the St. John City Council regarding the increased utility tax. I've also enclosed a copy of St. Louis County's certified election results.

If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Connie Sieveking
Adm. Assistant

CSS
enc

RECEIVED AUG 14 1989

OFFICIAL FINAL CUMULATIVE REPORT

SPECIAL ELECTION
ST. LOUIS COUNTY, MISSOURI
TUESDAY, AUGUST 8, 1989

1	***** CITY OF BEVERLY HILLS (1 POLLING PLACE) *****	***** VILLAGE OF PASADENA PARK (1 POLLING PLACE) *****
2	1 Ballots Cast - BEVERLY HILLS	6 Ballots Cast - PASADENA PARK
3	PROP --SET FEES-- CANDIDATE FILING (SIMPLE)	PROP #1 --SET FEES-- REFUSE COLLECTION (SIMPLE)
4	2 YES	7 YES
5	3 NO	8 NO
6	***** CITY OF BLACK JACK (1 POLLING PLACE) *****	***** CITY OF ST JOHN (6 POLLING PLACES) *****
7	4 Ballots Cast - BLACK JACK	9 Ballots Cast - ST JOHN
8	COUNCIL PERSON--WARD 2 (ONE TO BE ELECTED)	PROP NO 1 --INCREASE TAX-- UTILITY SERVICES (SIMPLE)
9	SPECIAL ELECTION TO FILL A VACANCY	10 YES
10	5 ROBERT M. SIMMONS	11 NO
11	1	2.....3
12	0001 AP 1,2,3,7,20,48,51,52	4
13	0004 AP 6,19,23,50,58	5
14	0298 MID 13,40,58	6
15	0301 MID 12,18,19,28,34,38,57	7.....8
16	0302 MID 20, AP 9	9
17	0348 NOR 5,22,33,52,50	10.....11
18	0351 NOR 11,36,39,67	6
19	0358 NOR 20,25,26,35,44,49	5
20	0457 SPL 8,21,25,30,31,33	2
21	TOTAL	0
22	54	24
23	29	31
24	16	584
25	78	447
26	62	130
27	103	374
28	72	275
29	28	90
30	1,025	18
31	709	9
32	230	

WE, THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY, MISSOURI, ACTING AS THE VERIFICATION BOARD PURSUANT TO 115.507, R.S.MO. 1987, HEREBY VERIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF VOICES CAST FOR THE OFFICE, OR VOICES CAST FOR THE PROPOSITION, AT THE SPECIAL ELECTION HELD IN ST. LOUIS COUNTY, MISSOURI, ON TUESDAY, AUGUST 8, 1989.

IN TESTIMONY WHEREOF, WE HAVE HERETO SET OUR HAND AT OUR OFFICE IN CLAYTON, ST LOUIS COUNTY, MISSOURI, THIS 11TH DAY OF AUGUST, 1989.

Albert E. Schenbeck ROBERT E. SCHENBECK, CHAIRMAN
Robert H. Fape ROBERT H. FAPE, SECRETARY
Frank A. Bussmann FRANK A. BUSSMANN, MEMBER
Jane E. Woods JANE E. WOODS, MEMBER

INTRODUCED BY THE COUNCIL AS A WHOLE

AN ORDINANCE AMENDING ORDINANCE NO. 119 AND INCREASING THE LICENSE TAX UPON ALL PERSONS, FIRMS, COMPANIES OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY, NATURAL GAS, TELEPHONE SERVICE AND WATER FROM TWO PERCENT (2%) TO FIVE PERCENT (5%) OF THEIR ANNUAL GROSS RECEIPTS AND FURTHER PROVIDING FOR A ONE PERCENT (1%) PER ANNUM REBATE FOR CERTAIN QUALIFIED SENIOR CITIZENS.

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

SECTION 1: The word "person" when used in this Ordinance shall include any individual, firm, partnership, 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 the singular.

SECTION 2: The term "gross receipts" means the aggregate amount of all sales and charges for electricity, natural gas, telephone service and water made by any person in the City of St. John, during the applicable period, less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during the applicable period.

SECTION 3: Every person now or hereafter engaged in the business of supplying electricity, natural gas, telephone service and water for compensation for any purpose in the City of St. John shall pay to the City of St. John as a license tax a sum equal to five percent (5%) of the gross receipts from the transaction of such business.

SECTION 4: It is hereby made the duty of every person engaged in the business described in Section 3 to file with the Clerk of the City of St. John on or before the 15th day of February each year, a sworn statement of the gross receipts of such persons from such business during the preceding calendar year. The Clerk of the City of St. John or his duly authorized deputy shall be and is hereby authorized to investigate the correctness and accuracy of the statement and for that purpose shall have access at all reasonable times to the books, documents, papers, and records of the person making such statement in order to ascertain the accuracy thereof.

SECTION 5: Within thirty (30) days from the end of each

calendar quarter all persons subject to this Ordinance shall pay to the City of St. John an amount equal to five percent (5%) of said person's gross receipts for said quarterly period.

SECTION 6: The tax herein required to be paid shall be in lieu of any other license or occupation tax required of any person engaged in the business described in Section 3 hereof, but nothing herein contained shall be so construed as to exempt any such person from the payment to the City of St. John of the tax which the City levies upon the real or personal property belonging to any such person, nor the tax required of merchants or manufacturers for the sale of anything other than electricity, natural gas, telephone service and water, 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 license or occupation tax on the business described in Section 3. Such persons subject to the terms of this Ordinance shall be allowed a credit for future taxes with respect to refunds actually made to its customers by order or filing of the appropriate regulatory authority having jurisdiction to require such refund to be made.

SECTION 7: Any resident of the City of St. John, Missouri, who resided in the City for the entire previous calendar year and who was age sixty-five (65) or older before such previous calendar year began, may apply during each January on forms provided by the City for a one percent (1%) rebate on the amount of utility tax paid in the previous calendar year as a result of the enactment of this Ordinance. The rebate set forth in this Paragraph shall be subject to annual review of the Council, which shall either renew or withdraw the provisions of the Paragraph.

SECTION 8: Any person engaged in the business described in Section 3 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 such violation of this Ordinance shall continue shall constitute a separate offense.

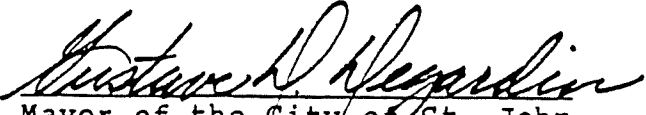
SECTION 9: If any section or sections, or any part thereof, of this Ordinance shall be held invalid for any reason, the invalidity of such section or sections, or part thereof, shall not impair the validity of the remaining section, sections or parts of this Ordinance, the Council hereby declaring that it would have passed the remaining portion of this Ordinance, had it known any section, sections or parts thereof would be held invalid.

SECTION 10: All Ordinances or parts of Ordinances in conflict with this Ordinance insofar as they are in conflict with this Ordinance are hereby repealed. Ordinance No. 119 is hereby repealed in toto.

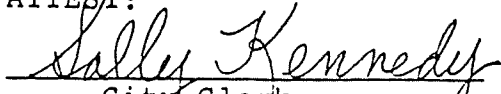
SECTION 11: This Ordinance shall be in full force and effect from and after the date of its approval by the majority of

the duly qualified voters of the City voting at an election.

PASSED AND ADOPTED THIS 15TH DAY OF MAY, 1989.

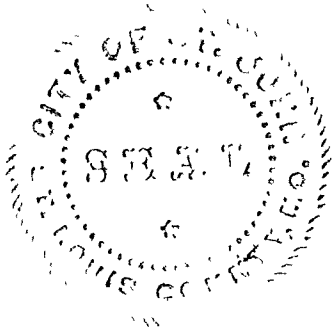

Mayor of the City of St. John

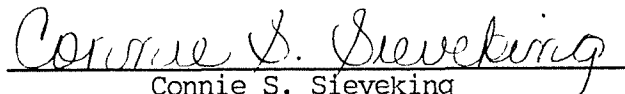
ATTEST:


City Clerk

First Reading: 5-15-89 L
Second Reading: 5-15-89 S
Third Reading: 5-15-89 S

I hereby certify that this is a true & accurate copy of Ordinance 365 as passed by the St. John City Council on May 15, 1989 and which is on file at the St. John City Hall.




Connie S. Sieveking
Deputy City Clerk

BILL NO. 134

ORDINANCE NO. 119 1977

INTRODUCED BY THE COUNCIL

AN ORDINANCE AMENDING CHAPTER 7, OCCUPATIONAL TAXES AND OCCUPATIONS BY PROVIDING FOR A LICENSE TAX TO BE PAID BY PERSONS ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY, NATURAL GAS, TELEPHONE SERVICE AND WATER FOR COMPENSATION FOR ANY PURPOSE IN THE CITY OF ST. JOHN, PRESCRIBING THE AMOUNT THEREOF AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

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

SECTION 1: The word "person" when used in this Ordinance 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 the singular.

SECTION 2: The term "gross receipts" means the aggregate amount of all sales and charges for electricity, natural gas, telephone service and water made by any person in the City of St. John less discounts, credits, refunds, sales taxes and uncollectible accounts.

SECTION 3: Every person now or hereafter engaged in the business of supplying electricity, natural gas, telephone service and water for compensation for any purpose in the City of St. John shall pay to the City of St. John as a license tax a sum equal to two percent (2%) of the gross receipts from such business.

SECTION 4: It is hereby made the duty of every person engaged in the business described in Section 3 to file with the Clerk of the City of St. John on or before the 15th day of February, 1978, a sworn statement of the gross receipts of such persons from such business during the period — K/A —, 1977 through December 31, 1977 and on or before

the 15th day of February of each year thereafter, a sworn statement of the gross receipts of such person from such business during the preceding calendar year. The Clerk of the City of St. John or his duly authorized deputy shall be and is hereby authorized to investigate the correctness and accuracy of the statement and for that purpose shall have access at all reasonable times to the books, documents, papers, and records of the person making such statement in order to ascertain the accuracy thereof.

2/21 SECTION 5: Within thirty days from the end of a calendar quarter all persons subject to this Ordinance shall pay to the City of St. John an amount equal to two percent (2%) of said person's gross receipts for said period.

SECTION 6: The tax herein required to be paid shall be in lieu of any other occupation tax required of any person engaged in the business described in Section 3 hereof, but nothing herein contained shall be so construed as to exempt any such person from the payment to the City of St. John of the tax which the City levies upon the real or personal property belonging to any such person, nor the tax required of merchants or manufacturers for the sale of anything other than electricity, natural gas, telephone service and water, 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 the business described in Section 3.

SECTION 7: Any person engaged in the business described in Section 3 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

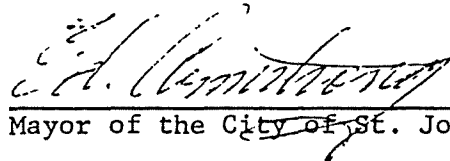
(\$100.00) nor more than Five Hundred Dollars (\$500.00). Each day's violation of this Ordinance shall constitute a separate offense.

SECTION 8: If any section or sections, or any 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 parts of this Ordinance, the Council hereby declaring that it would have passed the remaining portion of this Ordinance, had it known any section, sections or parts thereof would be held invalid.

SECTION 9: All Ordinances or parts of Ordinances in conflict with this Ordinance insofar as they are in conflict with this Ordinance are hereby repealed.

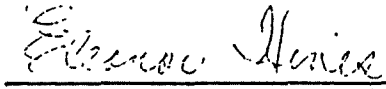
SECTION 10: This Ordinance shall be in full force and effect immediately upon its passage and adoption as provided by law.

PASSED AND ADOPTED THIS 21 day of November, 1977.



Mayor of the City of St. John

ATTEST:



City Clerk

First Reading: 10-17-77
Second Reading: 11-21
Third Reading: 11-21

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

I, Ernest J. Hines, City Clerk within
and for the City of St. John in the State and County aforesaid,
do hereby certify that the foregoing constitutes a full, true
and correct copy of the Ordinance No. 119 of said City
as passed and adopted by the Council of the City of St. John
on the 14th day of November, 1977, 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 St. John, Missouri,
at my office in said City, this 22nd day of November,
1977.

Ernest J. Hines
City Clerk

INTRODUCED BY THE COUNCIL AS A WHOLE

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY OF ST. JOHN, MISSOURI, AT A SPECIAL ELECTION TO BE HELD ON AUGUST 8, 1989, OF ORDINANCE NO. 365, WHICH WAS PASSED BY THE COUNCIL OF THE CITY OF ST. JOHN, MISSOURI ON THE 15TH DAY OF MAY, 1989, AND ENTITLED "AN ORDINANCE AMENDING ORDINANCE NO. 119 AND INCREASING THE LICENSE TAX UPON ALL PERSONS, FIRMS, COMPANIES OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY, NATURAL GAS, TELEPHONE SERVICE AND WATER FROM TWO PERCENT (2%) TO FIVE PERCENT (5%) OF THEIR ANNUAL GROSS RECEIPTS AND FURTHER PROVIDING FOR A ONE PERCENT (1%) PER ANNUM REBATE FOR CERTAIN QUALIFIED SENIOR CITIZENS" REQUIRING A VOTE OF THE MAJORITY OF VOTERS VOTING AT SAID ELECTION TO APPROVE SAID TAXES IN THE ORDINANCE BEFORE IT SHALL BECOME EFFECTIVE; SETTING AN EFFECTIVE DATE OF OCTOBER 1, 1989 IF APPROVED, AND PROVIDING FOR THE MANNER OF VOTING AT SUCH ELECTION AND FOR PUBLICATION OF NOTICE OF SUCH ELECTION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ST. JOHN, MISSOURI, AS FOLLOWS:

SECTION 1: There shall be submitted to the qualified voters of the City of St. John, Missouri, at a special election to be held on August 8, 1989, a Proposition contained in Ordinance 365, entitled:

"AN ORDINANCE AMENDING ORDINANCE NO. 119 AND INCREASING THE LICENSE TAX UPON ALL PERSONS, FIRMS, COMPANIES OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING ELECTRICITY, NATURAL GAS, TELEPHONE SERVICE AND WATER FROM TWO PERCENT (2%) TO FIVE PERCENT (5%) OF THEIR ANNUAL GROSS RECEIPTS AND FURTHER PROVIDING FOR A ONE PERCENT (1%) PER ANNUM REBATE FOR CERTAIN QUALIFIED SENIOR CITIZENS."

Said Ordinance was passed by the Council of the City of St. John, Missouri, on the 15th day of May, 1989.

SECTION 2: The above Ordinance provides for the taxes to be paid by persons, firms, companies and corporations providing electricity or electrical service or power; gas or gas service; water or water service; or telephone or telegraph service, to all users within the City. Under the requirements of Article 10 of the Missouri Constitution, such proposed taxes shall be submitted to a vote of the electorate.

If the ballot issue receives a favorable vote of a majority of the qualified voters voting at said election, the Council of the City of St. John, Missouri, shall, by Ordinance, establish a tax rate of five percent (5%). If said taxes are passed, they shall become effective October 1, 1989.

SECTION 3: The qualified voters of the City of St. John, Missouri, will, at the election on the foresaid date, vote on a ballot form to be prescribed by the St. Louis County Board of Election Commissioners, in essentially the following format:

OFFICIAL BALLOT

SPECIAL ELECTION

CITY OF ST. JOHN, MISSOURI

TUESDAY, AUGUST 8, 1989

PROPOSITION NO. 1

Shall there be an increased tax on utility service (electricity or electrical service or power; gas or gas service; water or water service; or telephone or telegraph service) provided to all users within the City of St. John, Missouri; said tax to be increased from two percent (2%) to five percent (5%) of gross receipts? Provisions of the proposed utility tax are set forth in St. John Ordinance No. 365.

YES
NO

INSTRUCTION TO VOTERS: If you are in favor of this Proposition, punch a hole near the arrow marked YES. If you are against the proposition, punch a hold near the arrow marked NO.

SECTION 4: The foresaid special election to approve or reject the said taxes in Ordinance 365, shall be held and conducted on the aforesaid date, during the same time, at the same polling places, and in the same manner and by the same judges and clerks who conduct the general election to be held in the State of Missouri and County of St. Louis on August 8, 1989, and the returns of said election on said proposition to approve or reject said taxes in said Ordinance shall be made at the same

time and in the same manner, and shall be canvassed and the results thereof declared at the same time and in the manner provided by the Charter of the City of St. John, Missouri, for the return, canvas and declaration thereof. Said election shall be held in accordance with the applicable provisions of the Constitution and laws of the State of Missouri and the Charter and Ordinances of the City of St. John, Missouri, as they apply to special elections.

SECTION 5: The City Clerk of the City of St. John, Missouri, shall certify the above stated Proposition to the St. Louis County Board of Election Commissioners. All publications of notice, with respect to said election, shall be made by the St. Louis County Board of Election Commissioners.

SECTION 6: This Ordinance shall be in full force and effect from and after date of its passage.

PASSED AND ADOPTED THIS 5TH DAY OF JUNE, 1989.

Estevan P. Magardin
Mayor of the City of St. John

ATTEST:

Connie S. Sieveking
Deputy City Clerk

First Reading: 5-15-89 L
Second Reading: 5-15-89 S
Third Reading: 6-05-89 S

I hereby certify that this is a true & accurate copy of Ordinance 366 as passed by the St. John City Council on June 5, 1989 and which is on file at the St. John City Hall.

Connie S. Sieveking
Connie S. Sieveking
Deputy City Clerk



720 Olive Street
Room 1517
St. Louis, Missouri 63101
Phone: (314) 342-0526
Fax: (314) 421-1979

**Laclede Gas
Company**

Fax

To: Tod Fagan

From: Gerry Lynch

Fax: 531-5334

Date: September 6, 2005

Phone: 658-5496

Pages: 10 (including cover page)

Re: City of St. Louis Franchise

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

•Comments:

Tod,

If this doesn't help, let me know. I can copy the entire file and mail to you if needed.

Gerry

WARNING

THE INFORMATION CONTAINED IN THIS COMMUNICATION IS CONFIDENTIAL AND MAY BE ATTORNEY-CLIENT PRIVILEGED, AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. ANY UNAUTHORIZED USE, DISSEMINATION, DISCLOSURE, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND MAY BE UNLAWFUL. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US AT (314) 342-0530 AND RETURN THE ORIGINAL COMMUNICATION TO US AT THE ADDRESS ABOVE VIA UNITED STATES POSTAL SERVICE. WE WILL REIMBURSE ANY COSTS YOU INCUR IN NOTIFYING US AND RETURNING THE COMMUNICATION TO US. THANK YOU.

November 3, 1980

MEMO TO THE FILE:

Re: Franchise - City of St. Louis - Laclede Gas Co. /

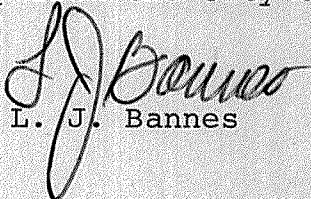
Over the years numerous questions have been raised with the undersigned relative to the franchise authority of Laclede Gas Company within the City of St. Louis.

The franchise whereby Laclede Gas Company exercises its business within the City of St. Louis arises out of special acts of the legislature as follows:

1. Laws of Missouri (1856-57), page 598;
as amended by
2. Laws of Missouri (1856-57), page 599;
as further amended by
3. Laws of Missouri (1868), page 187.

For specific references to these acts, see the attached Laclede Gas Company Charter current as of January 29, 1971. See also 14 S.W. 974.

The authority of the Company, therefore, to exercise its rights within the City of St. Louis derives from the legislature and not directly from the City of St. Louis.


L. J. Bannes

LJB:af

Corporate History see book 1900 Carondelet

PART I.

RESUME OF THE CORPORATE HISTORY OF THE LACLEDE GAS LIGHT COMPANY AND LACLEDE POWER & LIGHT COMPANY (INCLUDING THE PREDECESSOR COMPANIES, ST. LOUIS GAS LIGHT COMPANY, THE CARONDELET GAS LIGHT COMPANY, ST. LOUIS GAS, FUEL AND POWER COMPANY AND PHOENIX LIGHT, HEAT AND POWER CO.).

ST. LOUIS GAS LIGHT COMPANY.

CHARTER.

St. Louis Gas Light Company was incorporated by a special act of the Legislature of the State of Missouri, approved February 4, 1837. It was given the "sole and exclusive privilege of vending gas, gas lights and gas fittings in the City of St. Louis and its suburbs, to such persons or bodies corporate, as may voluntarily choose to contract for the same." The franchise of the Company was to endure for a period of fifty years, contingent upon the City not purchasing the Company's properties. The Charter of the Company provided that twenty years from the first day of January, 1840, the City should have the option to buy the gas works and if it should decline to exercise the option at that time, five years later it should again have that option. Unless the City chose to exercise this option the Company had the exclusive right to manufacture and vend gas in the City of St. Louis until 1890.

CONTRACT OF 1846 WITH CITY OF ST. LOUIS.

On January 9, 1846, a contract was made between the City of St. Louis and the directors of St. Louis Gas Light Company, without the assent of the stockholders of the Company, whereby the City relinquished its right to purchase the properties of the Gas Company in 1860, and in lieu thereof it obtained the right to purchase the properties in 1870 or during each of the five year periods thereafter, in the manner and upon giving notice of its intention to purchase as provided in the Charter.

CONTRACT OF 1886 WITH CITY OF ST. LOUIS.

By an agreement between the City of St. Louis and the St. Louis Gas Light Company dated January 30, 1886, the Company's franchise was extended from 1890 to January 1, 1920. This agreement provided that the price of gas should not exceed \$1.50 per thousand cubic feet prior to January 1, 1890, and thereafter not to exceed \$1.25 per thousand cubic feet. This contract was authorized by Ordinance 13494.

THE LACLEDE

The Laclede Gas : special act of the M. The capital stock was creased to \$2,000,000.

The affairs of the board of not less than that portion of the C cept that embraced w by the act incorpora given the exclusive p and of making and v "any substance or i used as a substitute continue for thirty y case the City should : duration of the franc sixty years, ending i

By an act approve sole and exclusive f from the Company, : event it exercised its in addition to the ap nated.

By an act approv Company was made ized to increase its c amount as may be n privileges of The La throughout "the cor as the same are now act provided that n affecting the rights (The latter Compan of the City.) The c Act of March 2, 1857

THE LACLEDE GAS LIGHT COMPANY.

The Laclede Gas Light Company was incorporated by a special act of the Missouri Legislature on March 2, 1857. The capital stock was to consist of \$50,000. which might be increased to \$2,000,000., to be divided into shares of \$100. each.

The affairs of the Company were to be conducted by a board of not less than five directors. The Company, within all that portion of the City of St. Louis as then constituted, except that embraced within the corporate limits as established by the act incorporating the City, of February 8, 1839, was given the exclusive privilege and right of lighting the same and of making and vending gas, gas lights, gas fixtures, and "*any substance or material that may be now or hereafter used as a substitute therefor.*" The charter rights were to continue for thirty years, with a renewal for thirty years in case the City should not exercise the option to purchase. The duration of the franchise under this Act is, therefore, at most, sixty years, ending in 1917.

By an act approved the following day, March 3, 1857, the sole and exclusive feature of the franchise was taken away from the Company, and the requirement that the city, in the event it exercised its right to purchase, must pay 20 per cent. in addition to the appraised value of the property, was eliminated.

By an act approved March 26, 1868, the franchise of the Company was made perpetual and the Company was authorized to increase its capital stock from time to time "*to such amount as may be necessary to carry on its business.*" The privileges of The Laclede Gas Light Company were extended throughout "*the corporate limits of the City of St. Louis, as the same are now or may hereafter be established.*" This act provided that nothing therein should be construed as affecting the rights of the St. Louis Gas Light Company. (The latter Company had an exclusive franchise in a portion of the City.) The option given the City to purchase by the Act of March 2, 1857, was taken away. The Act also repealed

the Act of March 3, 1857, which took away the sole and exclusive feature of the original franchise.

TRIPARTITE AGREEMENT OF FEB. 28, 1873.

By an agreement of February 28, 1873 (widely known as the "Tripartite Agreement") between the City of St. Louis, St. Louis Gas Light Company and The Laclede Gas Light Company, it was agreed that the contract of 1846 be cancelled and all causes of action between the parties were settled. Each of the two gas companies abandoned and surrendered fully and completely any and all exclusive right and all claims or pretense of claims of sole or exclusive privilege or right of lighting any part of the City of St. Louis with gas, or making or vending gas, etc., and "all sole or exclusive right whatsoever."

Ord. # 8262 p. 36

ASSIGNMENT FROM THE ST. LOUIS GAS LIGHT COMPANY TO THE LACLEDE GAS LIGHT COMPANY.

On December 24, 1889, the St. Louis Gas Light Company assigned all its rights, properties, franchises, etc., to The Laclede Gas Light Company. By this agreement there was conveyed to The Laclede Gas Light Company the real estate, plants and properties of the St. Louis Gas Light Company in consideration of \$4,000,000.

By another agreement, also dated December 24, 1889, the St. Louis Gas Light Company assigned to The Laclede Gas Light Company all its interest in and to a contract between it and the City of St. Louis, evidenced by and known as "Ordinance 13494", dated January 30, 1886. This ordinance extended the franchise of the St. Louis Gas Light Company to January 1, 1920, and limited the price of gas sold by the St. Louis Gas Light Company, from January 1, 1890, to January 1, 1920, to \$1.25 per thousand cubic feet. The Laclede Gas Light Company agreed to save the St. Louis Gas Light Company harmless from all liability under said ordinance.

THE CARONDEL LOUIS G

The Carondel special Act of that time Carondel forms a large part of the Company was given all the rights granted to or General Assembled Company, there until 1907. Or company acquired stocks of the St. Louis Gas Light Company sets of this Company

St. Louis Gas Light Company May 22, 1880, Power Furnish Street and Union Station five miles of Company acquired plan of H. B. 30, 1890, its as Company for

AN ACT to incorporate "THE LACLEDE GAS LIGHT COMPANY." 1857

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. James M. Hughes, Edward Bredell, Robert Holmes, John C. Rust, Charles Gibson, Samuel H. Gardner, Henry A. Clover and Archibald Gamble be, and they are hereby, created and constituted a body politic and corporate, by the style of "The Laclede Gas Light Company," and by that name, they and their successors and assigns shall have perpetual succession, may contract and be contracted with, sue and be sued, and may also hold and convey, or otherwise manage and dispose of such property, real, personal and mixed, as may be necessary for the purposes of said corporation, and the prosecution of its legitimate business.

Section 2. The capital stock of said company shall be fifty thousand dollars, and the same may be increased to two million dollars, which shall be divided into shares of one hundred dollars each.

Section 3. The affairs of said company shall be conducted by a board of not less than five directors, and such officers and agents as they may deem necessary; said directors to be chosen annually, by the stockholders, each share of stock being entitled to one vote in such election, and they shall hold their offices for one year, and until their successors are elected and qualified; said directors shall have power to ordain and make all needful by-laws, rules and regulations, for the transaction of the business of said company, and, under the direction of the stockholders, may have absolute power over all the property and effects of said company. They may also fill vacancies in their board until the next regular election.

Section 4. The said corporators, or a majority of them may, at any time, open books in the city of St. Louis, for subscription to the capital stock of said company, and, upon the sum of fifty thousand dollars being subscribed may organize said company under this charter.

Section 5. The said company, its successors and assigns, shall, within all that portion of the present corporate limits of the city of St. Louis, in St. Louis county, not embraced within the corporate limits of said city, as established by the act entitled 'An Act to incorporate the City of St. Louis,' approved February 8, 1839, have and enjoy, during the continuance of this act, the sole and exclusive privilege and right of lighting the same, and of making and vending gas, gas-lights, gas-fixtures, and of any substance or material that may be now or hereafter used as a substitute therefor; and to that end, may establish and lay down, in said portion of said corporate limits, all pipes, fixtures, or other thing properly required, in order to do the same (the same to be done with as much dispatch and as little inconvenience to the public as possible), and shall also have all other powers necessary to execute and carry out the privileges and powers hereby granted to said company.

Section 6. The city of St. Louis and said company may make any contracts they may deem to their mutual advantage, in regard to the lighting of any parts of said portion of said corporate limits, or any other thing relating to the business and affairs of said company. The said city shall have the right, at the expiration of twenty years from the time of the organization of said company under this charter, to purchase all the property and effects of the same, paying therefor to the same

Co. shall have sole & exclusive rts. in the present corp. limits of the city, not embraced with the 1839 Act of Inc. the City.

the value of such property and effects, with twenty per cent, added thereto, such value to be fixed by two appraisers, one to be chosen by the city and the other by the company, and if they cannot agree, then the two thus chosen shall nominate a third man, and a decision of any two of the three shall be binding; and upon such purchase being made, all such property and effects, and all rights and privileges granted to said company shall immediately pass to and vest in said city. If said city fail so to purchase said property and effects, then this charter shall be, and the same is hereby, renewed and extended for the further period of thirty years after the expiration hereof.

Section 7. Any person or body corporate who shall, within said portion of said corporate limits, interfere with the privileges hereby granted to said company, or exercise like acts or privileges, shall, for every such offence, forfeit and pay to said company one thousand dollars, and each day's continuance of such offence shall be construed to be, and be, a new offence, under this section.

Section 8. The said company and this act is hereby exempted from the operation of section 6, 7, 13, 14, 15, 18 and 20 of article first of the act entitled 'An Act concerning Corporations,' approved November 23, 1855.

Section 9. This act shall take effect from its passage, and shall continue in force for thirty years.

Approved March 2, 1857

AN ACT supplementary and amendatory of an act entitled "An Act to incorporate the Laclede Gas Light Company"

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. The act to which this act is amendatory is hereby amended as that the words 'sole and exclusive,' in the fifth section of the act are stricken out.

Section 2. The city of St. Louis shall not be compelled, in any purchase which it may make under the sixth section of the before recited act, to pay more than the appraised value of the property and effects of the corporation created by said act, without any addition of per centage.

This act to take effect and be in force from and after its passage.

Approved March 3, 1857.

sole & exclusive stricken

AN ACT to amend an act to incorporate the Laclede Gas Light Company, approved March 2, 1857.

Be it enacted by the general assembly of the State of Missouri, as follows:

Section 1. The said Laclede gaslight Company shall and may, within the corporate limits of the city of St. Louis, as the same are now or may hereafter be established, exercise, have, hold, and enjoy forever all the rights, privileges, and franchises granted to it by the fifth section of the act to which this act is amendatory, and may, at any time, lease, sell, or dispose of any portion of said rights, privileges, and franchises to individuals, associations, or corporations intending or desiring to exercise the same within any portion of the limits aforesaid. *sole & exclusive right*

Section 2. The capital stock of said company may be increased, from time to time, to such amount as may be necessary to carry on its business.

Section 3. Nothing in this act contained shall be construed as affecting the vested rights of the St. Louis gaslight company; and the sixth section of the said act, to which this act is amendatory, is hereby repealed. *St. L. Gas Light Co. retains rights.*

Section 4. An act entitled an act supplementary to and amendatory of an act entitled an act to incorporate the Laclede gaslight company, approved March 3, 1857, is hereby repealed. *Stricken repealed*

Section 5. This act shall take effect from its passage.

Approved March 26, 1868. (Filed and certificate issued Feb. 28, 1947-Wilson Bell Secretary of State)

THE LACLEDE GAS LIGHT COMPANY

CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION

The Laclede Gas Light Company, a corporation organized and existing under the laws of the State of Missouri, does hereby certify as follows:

FIRST: That the name of this corporation is The Laclede Gas Light Company.

SECOND: That on February 14, 1950 at an annual meeting of the shareholders of said corporation held at the office of said corporation, 1017 Olive Street, St. Louis, Missouri, the following amendments of the Articles of Incorporation of said corporation were adopted:

That the Articles of Incorporation of this corporation be amended by striking from Article III of the Articles contained in the Certificate of Acceptance of The General and Business Corporation Act of Missouri, as amended, filed by this corporation in the office of the Secretary of State of Missouri on February 28, 1947, the first sentence of said Article III, to-wit, "The aggregate number of shares which this corporation has authority to issue is 7,133,620 shares of common stock of the par value of \$4.00 per share", and by adding immediately after said Article III of said Articles, a new article, to be known as Article III-A, which shall read as follows:

ARTICLE III-A

The aggregate number of shares which this corporation shall have authority to issue is 7,613,620 shares, divided into two classes, a class of common stock

Gaslight

haclede

City

337 - Gaslight incorporated granted exclusive rights in the city, subject to the city's option to buy.

1839 The City is incorporated

346 - City contracts with Gaslight to extend option to buy

1857 - haclede is incorporated & granted exclusive rights in the present corporate city limits not embraced in the 1839 City Incorporation Act.

1857 Carondelet inc. granted exclusive franchise in Carondelet until 1904.

1857 - The legislature amends its previous act by striking the words "sole and exclusive."

1868 - haclede is granted a perpetual charter. The "exclusivity" feature is reinstated subject to Gaslight's vested rights.

1873 The Tripartite Agreement Ordinance 8262

All three parties enter into a contract providing: (1) for the cancellation of the 1846 Contract between Gaslight and the City; (2) that all the parties will abandon their causes of action against one another; (3) that haclede and Gaslight surrender their claims of exclusivity and (4) that the contract will be in force until 1890.

886 - Gaslight's franchise extended from 1890 until 1920 ind. 13494. see 88 no exclusivity.

889 - Gaslight transfers all its property and franchise rights to haclede. (also acquires & transfers Carondelet street)

STATE OF MISSOURI, :
 : ss. FEBRUARY TERM, 1904.
 County of St. Louis. :

In the County Court of said County, on the 3rd, day of February, 1904, the following, among other proceedings, were had viz.:

In the matter of the St. Louis County Gas Company :
 for a franchise to lay and maintain Gas mains :
 pipes and connections therewith, in St. Louis :
 County, Missouri, for the purpose of supplying :
 the inhabitants of said County and of the :
 unincorporated villages and towns therein, with :
 gas for lighting, heating, fuel and other purposes.: It is ordered
 by the County Court of St. Louis County, Missouri, as follows:

SECTION 1. That there be and is hereby granted to The St. Louis County Gas Company, a corporation duly incorporated under and by virtue of the laws of the State of Missouri, and to its associates, successors, transferees and assigns, the right to lay erect, construct, maintain and operate in the public streets, roads, highways, avenues, alleys, ways, parks and public grounds of said County and of the unincorporated villages thereof, and in any public roads, highways and streets connecting with and leading into the City of St. Louis and the incorporated municipalities of said County during the continuance of this order, such works, mains, pipes, lamp posts and other necessary apparatus and appliances which may be necessary or convenient for supplying the inhabitants of said County and of said unincorporated villages and of said incorporated municipalities with gas for heating, lighting, power, fuel or any other purpose for which gas may be required or used.

SECTION 2. This order shall confer no right, privilege or authority whatever, on said The St. Louis County Gas Company, its associates, successors, transferees or assigns, unless they shall, within five days after the adoption of this order by the County Court, file with the Clerk of said County Court of said County

an unconditional written acceptance of the same; and also deposit with the County Treasurer of said County the sum of One Thousand Dollars in cash, said cash to remain on deposit and to be maintained during the life of this franchise for the uses and purposes hereinafter designated, and also within twenty days after the adoption of this order execute and deliver a bond in the penal sum of Five Thousand Dollars, payable to said County, with sureties to be approved by the County Court, to be renewed every five years during the life of the franchise hereby granted, conditioned that said The St. Louis County Gas Company, its associates, successors, transferees and assigns, will faithfully keep and perform the provisions of this order, and save the said County harmless from all damages to any and every person caused by the construction, extension, repairing and maintaining the works, mains, pipes, lamp posts and other apparatus and appliances mentioned in section one of this order.

SECTION 3. The said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall begin to lay mains on the roads, highways, alleys, streets or public places of said County or the unincorporated villages thereof, within ninety days from the date of this order, and shall file with the Clerk of this Court plans and specifications of the work said company purposes to do, showing therein on what roads, highways, alleys, streets and public places, and in what parts thereof, and in what manner, they propose to lay said mains, and no mains shall be laid until said plans and specifications are approved by said County Court. And in all extensions of mains over other roads, highways, alleys, streets and public places similar plans and specifications under similar restrictions and subject to similar approval shall be submitted to said Court.

SECTION 4. Whenever and wherever the said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall lay gas mains in any of the roads, alleys, highways, streets and public places of said County and of said unincorporated villages, said company, its associates, successors,

transferees and assigns shall complete and put in operation gas generators of sufficient capacity to supply said mains with gas in quality equal to the gas furnished to consumers in the City of St. Louis, and subject to the same tests as are prescribed by the ordinances of said City, or may instead of themselves providing said generators have said gas mains connected with other gas mains which connect with generators of the capacity to supply said mains with gas of the quality and subject to the tests aforesaid, and shall have and keep said gas in said mains with sufficient pressure to furnish said gas to consumers along said mains.

SECTION 5. The said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall from time to time extend said gas mains throughout the streets, alleys, roads, highways and public places of said County and of said unincorporated villages leading into or connecting with any street or place in which they have laid mains, from time to time as to them may seem desirable, or whenever so directed by the County Court of said County; Provided, however, that they shall not be directed or compelled to make any extension, except where there shall be an average of one or more bona fide and permanent consumer of gas on such extension when completed along the streets or street, road or roads, highway or highways, alley or alleys at least for each one hundred feet of gas main extension so required to be made.

SECTION 6. Said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall be liable to compensate St. Louis County, and any individual for any damages arising from negligence on their part while opening, occupying or encumbering any street, alley, road, highway or public place in doing any work under this order, and shall hold said County harmless from damage or expense by reason thereof. Said The St. Louis County Gas Company, its associates, successors, transferees and assigns, in making excavations on the said streets, highways, alleys, roads and other public places of said County and of said

unincorporated villages for the purpose of laying mains, or making connections therewith, or repairs thereon, shall at all time be subject to the order of the County Court now in force or which may hereafter be adopted relative to guarding and protecting said excavations by proper and sufficient barriers and lights, and to all other reasonable police regulations of said County.

SECTION 7. The said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall not in constructing, operating and maintaining such gas works, and in laying, maintaining and operating such mains, pipes and other apparatus and appliances necessary thereto, do any permanent injury to any street, alley, road, highway or other public place, nor in any manner interfere with any water, sewer, electric wire, or cable or any conduit now or hereafter constructed in the said County or said unincorporated villages by lawful authority. The said The St. Louis County Gas Company, its associates, successors, transferees and assigns, in using the streets, roads, highways, alleys and public places of said County and of said unincorporated villages, for the purpose of laying their mains and making connections therewith and extending their mains and erecting lamp posts and putting in and constructing other apparatus and appliances such as are by this order authorized to be placed on such streets, highways, alleys, roads, and public places, shall do so in compliance with such rules and regulations as the County Court has or may hereafter from time to time by order adopt, and in accordance with the plans and specifications therefor approved by the County Court, and it shall be the duty of the Road and Bridge Commissioner of said County or any other person authorized so to do by said County Court, to see that all such work is done in compliance with such rules and regulations and in accordance with such plans and specifications. If at any time the County Court or the County Surveyor and ex officio Road and Bridge Commissioner of said County, or any Road Overseer of said County so far as the boundaries of his road district may extend, shall find that

any of said streets, alleys, roads, highways or public places have been injured or impaired by the construction, repair or extension of said mains or connections therewith, said Court or officers may demand of said The St. Louis County Gas Company, its associates, successors, transferees or assigns, that they immediately repair said roads, highways, streets, alleys or public places, restoring them to their former condition of usefulness to the satisfaction of said court or authorized officer; and should said party or parties fail to make such repairs in a reasonable time then the County Court may at its option order such repairs to be made and the cost of such repairs to be paid out of said deposit of One Thousand Dollars, and the said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall upon twenty days notice in writing served upon the said The St. Louis County Gas Company, its associates, successors, transferees and assigns, as the case may be repay the sum so expended, so as to maintain at all times said deposit of One Thousand Dollars. Should said The St. Louis County Gas Company, its associates, successors, transferees or assigns, fail to repay the sum so expended within said twenty days, then whatever may remain of said deposit shall be forfeited and become the absolute property of the said County. If the County Court shall decide to change the grade of any street, alley, road, highway or public place of said County or of said unincorporated villages therein, after the laying of mains and pipes and the erection of lamp posts by said The St. Louis County Gas Company, its associates, successors, transferees and assigns, the said Company, its associates, successors, transferees and assigns, shall upon notice to them of the proposed change of grade with due diligence, at their own expense, cause their said mains, pipes, lamp posts and other apparatus to conform to said grade as so changed, or proposed to be changed.

SECTION 8. The said The St. Louis County Gas Company, its associates, successors, transferees and assigns shall continue for the term granted by this order to furnish gas to consumers along the mains laid in the streets, alleys, roads, highways and public places of said County and of the unincorporated villages thereof; Provided, however, that if any building generator or appliance used in the manufacture of gas, or any main or other appliance used for the purpose of conducting gas to consumers be injured, impaired or destroyed by fire, explosion, tempests or flood or by any casualty denominated in law and act of God, then the said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall have a reasonable time to repair, rebuild, reconstruct or replace the same.

SECTION 9. The said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall furnish gas to the inhabitants of the County aforesaid including the unincorporated villages therein, and shall have the right to charge therefor at a price not exceeding one dollar and twenty cents net per thousand cubic feet; Provided, the said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall be entitled to add twenty cents per thousand cubic feet additional to the aforesaid price when the bills for the gas so furnished shall not be paid on or before the tenth of the month next succeeding the first of the month when such bill shall be rendered.

SECTION 10. It shall be the duty of said The St. Louis County Gas Company, its associates, successors, transferees and assigns, on the proper application of the owner or tenant of any building located upon any road, highway, street or alley upon which mains have been laid to furnish gas for the purpose of lighting, fuel, heating or power on either side of such road, highway, street, or alley so far as such main shall extend, subject to all reasonable rules and regulations which shall be

made by said The St. Louis County Gas Company, its associates, successors, transferees and assigns, and free from all and any unreasonable discriminations.

SECTION 11. In consideration of the grant of this franchise, and in full compensations for the rights and privileges herein granted, the said The St. Louis County Gas Company, its associates, successors, transferees and assigns, shall within twenty days of the adoption of this order by the County Court, pay into the Treasury of St. Louis County the sum of Four Thousand Dollars in cash.

SECTION 12. This order shall upon its adoption by the County Court and its acceptance in writing by The St. Louis County Gas Company, its associates, successors, transferees and assigns, continue and remain in force for the period of fifty years from the date of its adoption by said County Court, unless the franchise, rights, and privileges herein granted be forfeited and this order become null and void in one or more of the ways in this order specified and prescribed.

If said The St. Louis County Gas Company, its associates, successors, transferees and assigns fail to fully comply with each and every of the terms, conditions, agreements and provisions as hereinabove set forth, and any subsequent orders that may be made by this Court touching the premises, then this assent, grant and privilege shall thereupon become null and void, otherwise to remain in full force and effect.

THEODORE HEEGE,

Presiding Justice.

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

FEBRUARY Term, 1904.

In the County Court of said County, on the 23rd day of February, 1904, the following, among other proceedings, were had, viz:

In the matter of the petition of the :
The St. Louis County Gas Company. : In the matter of the peti-
tion of the The St. Louis County Gas Company to amend Section 12
of the order heretofore made and the Court having fully considered
said matter, it is therefore ordered by the Court that the order
of this Court adopted February 23rd, 1904 granting to The St.
Louis County Gas Company a franchise, as more fully appears by
said order, be and the same is hereby amended as follows, to-wit;--
By striking out and repealing Section 12 of said order and adopt
in lieu thereof as part of said order the following, to-wit:--

SECTION 12. This order shall upon its adoption by the
County Court and its acceptance in writing by The St. Louis County
Gas Company, its associates, successors, transferees and assigns,
continue and remain in force for the period of Fifty Years from
the date of its adoption by said County Court.

If said, The St. Louis County Gas Company, its associates,
successors, transferees and assigns, fail to fully comply with
any of the terms, conditions, agreements and provisions as here-
inabove set forth then this assent, grant and privilege shall
thereupon become null and void otherwise to remain in full force
and effect.

THEODORE HEEGE,

Presiding Justice.

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

November Term, 1928.

In the County Court of said County, on the 29th day of January, 1929, the following among other proceedings were had, viz:-

In the matter of the application of The St. Louis County Gas Company for an order amending the franchise granted to its predecessor, St. Louis County Gas Company, By order of the County Court entered February 3, 1904.

IT IS ORDERED by the County Court of St. Louis County, Missouri:

That the order of February 3, 1904, above referred to, granting to St. Louis County Gas Company, its successors and assigns, certain franchise rights, be amended and extended as follows:-

Section 1. Said order is amended by adding thereto a new section to be known as Section 11a to read as follows:

Section 11a. The distribution system in Section 1 of said original order referred to, whether heretofore constructed or hereafter to be constructed, may also be of a character required for the transmission and distribution of unrefined artificial and/or natural gas, and The St. Louis County Gas Company (hereinafter referred to as "Grantee") and its successors and assigns are also expressly authorized to construct, maintain and operate in, upon, over, across, and under the public streets, roads, highways, avenues, alleys, ways, bridges, parks and public grounds of the county and of the unincorporated villages thereof, and in any of the public roads, highways and streets connecting with and leading into the City of St. Louis and the incorporated municipalities of the county, all mains, pipes and other apparatus and appliances necessary or convenient for the transmission, distribution and sale of unrefined artificial and/or natural gas for industrial purposes, and for the procuring and transmitting of gas from any source or sources of supply and delivery thereof from pipe line companies and for the transmission of gas for supplying persons and corporations outside of and beyond the limits of the county. All such transmission and distribution system hereafter to be constructed shall be constructed, laid and maintained under such reasonable rules and regulations as may be prescribed and promulgated by the County Highway Engineer, with the approval of the County Court. The Grantee, its successors and assigns, shall install mains and make extensions thereof from time to time as may be necessary to serve manufacturing and commercial industries with unrefined artificial and/or natural gas for

industrial purposes, provided that all extensions requested will be made in accordance with and subject to the rules and regulations of the Grantee, its successors or assigns, applicable thereto, approved by the Public Service Commission of Missouri or other regulatory body; and the Grantee, its successors and assigns, shall from time to time put into effect a schedule or schedules of reasonable rates and charges for gas so to be furnished and reasonable rules and regulations governing the service, all to be subject to the approval of the Public Service Commission or other regulatory body. Grantee, and its successors or assigns, shall also agree to save the County harmless from and against all claims and demands and from all loss and expense incurred as a result thereof, arising out of the laying, installing, removing, inspection or repair of mains, pipes, services or appliances of the Grantee, its successors or assigns, or by reason of the use and operation thereof throughout the term of such franchise. Within sixty days after the entry of this amendatory order the Grantee shall file its unconditional acceptance thereof with the Clerk of the Court. Failure to so accept same shall be deemed a rejection thereof by Grantee and the additional rights and privileges hereby granted shall, if not accepted within the time aforesaid or within such extended period as the Court may hereafter fix, absolutely cease and determine. The rights and privileges as originally granted and as now by this amendatory order granted, shall from and after the date of the Grantee's acceptance hereof continue in force throughout the period limited in Section 12 of said original order as amended February 23, 1904, and thereafter so long as the conditions hereof have been and are faithfully complied with.

All other provisions of the original order of February 3, 1904, relating to the construction, maintenance and operation of such transmission and distribution system, so far as applicable, shall remain in full force and effect.

ALBERT WEHMEYER

Presiding Justice.

STATE OF MISSOURI)
)
COUNTY OF ST. LOUIS)

SS.

November Term, 1923.

In the County Court of said County, on the 29th day of January, 1923,
the following among other proceedings were had, viz:-

In the matter of the application of The
St. Louis County Gas Company for an order
amending the franchise granted to its pre-
decessor, St. Louis County Gas Company by
order of the County Court entered February
3, 1904.

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IT IS ORDERED by the County Court of St. Louis County Missouri:

That the order of February 3, 1904, above referred to, granting to
St. Louis County Gas Company, its successors and assigns, certain franchise
rights, be amended and extended as follows:-

Section 1. Said order is amended by adding thereto a new section to
be known as Section 11a to read as follows:

Section 11a. The distribution system in Section 1 of said
original order referred to, whether heretofore constructed
or hereafter to be constructed, may also be of a character
required for the transmission and distribution of unrefined
artificial and/or natural gas, and The St. Louis County Gas
Company (hereinafter referred to as "Grantee") and its suc-
cessors and assigns are also expressly authorized to con-
struct, maintain and operate in, upon, over, across, and
under the public streets, roads, highways, avenues, alleys,
ways, bridges, parks and public grounds of the county and of
the unincorporated villages thereof, and in any of the public
roads, highways and streets connecting with and leading into
the City of St. Louis and the incorporated municipalities of
the county, all mains, pipes and other apparatus and appli-
ances necessary or convenient for the transmission, distribution,
and sale of unrefined artificial and/or natural gas for
industrial purposes, and for the procuring and transmitting of
gas from any source or sources of supply and delivery thereof
from pipe line companies and for the transmission of gas for
supplying persons and corporations outside of and beyond the limits
of the county. All such transmission and distribution system
hereafter to be constructed shall be constructed, laid and main-
tained under such reasonable rules and regulations as may be
prescribed and promulgated by the County Highway Engineer, with
the approval of the County Court. The Grantee, its successors
and assigns, shall install mains and make extensions thereof from
time to time as may be necessary to serve manufacturing and
commercial industries with unrefined artificial and/or natural gas
for industrial purposes, provided that all extensions requested
will be made in accordance with and subject to the rules and
regulations of the Grantee, its successors or assigns, applicable
thereto, approved by the Public Service Commission

of Missouri or other regulatory body; and the Grantee, its successors and assigns, shall from time to time put into effect a schedule or schedules of reasonable rates and charges for gas to be furnished and reasonable rules and regulations governing the service, all to be subject to the approval of the Public Service Commission, or other regulatory body. Grantee, and its successors or assigns, shall also agree to save the County harmless from and against all claims and demands and from all loss and expense incurred as a result thereof, arising out of the laying, installing, removing, inspection or repair of mains, pipes, services or appliances of the grantee, its successors or assigns, or by reason of the use and operation thereof throughout the term of such franchise. Within sixty days after the entry of this amendatory order the grantee shall file its unconditional acceptance thereof with the Clerk of the Court. Failure to so accept same shall be deemed a rejection thereof by Grantee and the additional rights and privileges hereby granted shall, if not accepted within the time aforesaid or within such extended period as the Court may hereafter fix, absolutely cease and determine. ~~The rights and privileges as originally granted and as now by this amendatory order granted, shall from and after the date of the grantee's acceptance hereof continue in force throughout the period limited in Section 12 of said original order as amended February 23, 1904, and thereafter so long as the conditions hereof have been and are faithfully complied with.~~

All other provisions of the original order of February 3, 1904, relating to the construction, maintenance and operation of such transmission and distribution system, so far as applicable, shall remain in full force and effect.

ALBERT WEINBERGER

Presiding Justice.

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

I, WALTER E. MILLER, Clerk of the County Court in and for said County, hereby certify the above and foregoing to be a true copy of the proceedings of our said Court, on the day and year above written, as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at office in Clayton, this the 20th day of January 1929.

Walter E. Miller

Clerk County Court.

By _____ D.C.

--- COPY OF

bound
certified

CERTIFIED COPY OF ORDER

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

November Term, 1928

In the County Court of Said County, on the 31st day of

January 1929, the following among other proceedings

were had, viz:

In the matter of the application of The)
St. Louis County Gas Company for an order)
amending the franchise granted to its)
predecessor, St. Louis County Gas Company,)
by order of the County Court entered Feb-)
ruary 3, 1904.)

Now comes The St. Louis County Gas Company, by Louis H. Egan, President, and H. Spoehrer, Secretary, and submits to the Court its acceptance of the amendatory order of January 29th, 1929, and of the original order of February 3, 1904, as thus amended, as follows, to-wit:-

"To the Clerk of the County Court of the County of St. Louis:

The St. Louis County Gas Company, pursuant to the order entered January 29, 1929, amending the franchise originally granted to its predecessor, St. Louis County Gas Company, February 3, 1904, by adding a new section thereto to be known as Section 11 a, does hereby unconditionally accept the said amendatory order, and the original order as thus amended, and agrees that it and its successors shall become bound by all the provisions thereof.

THE ST. LOUIS COUNTY GAS COMPANY

BY Louis H. Egan, "
President.

Attest:

H. Spoehrer
Secretary.

(SEAL)

It is ordered by the Court that said acceptance be received and filed.

ALBERT WEHMEYER

(Over)

Presiding Judge.

STATE OF MISSOURI,)
)
County of St. Louis)

SS.

I, WALTER E. MILLER, Clerk of the County Court in and for said County, hereby certify the above and foregoing to be a true copy of the proceedings of our said Court, on the day and year above written, as the same appears of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at office in Clayton, this the 31st day of January 1929.

WALTER E. MILLER
Clerk County Court.

By (Signed) D. Haizlip D.C.

ORDINANCE NO. _6091

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY (SUCCESSOR IN INTEREST TO ST. CHARLES GAS COMPANY), A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, EXTEND AND MAINTAIN ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS ABOVE AND UNDER ANY OF THE PUBLIC ROADS, STREETS, ALLEYS OR PUBLIC PLACES WITHIN THE CITY OF ST. PETERS, MISSOURI, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH THE CITY OF ST. PETERS, 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 ST. PETERS, MISSOURI, AS FOLLOWS:

SECTION NO. 1. The franchise, 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, 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 above and under any of the public roads, streets, alleys or public places within the corporate limits of the City of St. Peters, Missouri, as now fixed and within any future extensions of its limits as hereafter extended (hereinafter sometimes called "City") for the purpose of transmitting, distributing and selling gas for light, heat, power and other purposes within the City of St. Peters, and for the purpose of transmitting gas through said City. The 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, provided that Laclede has a certificate of public convenience and necessity from the Missouri Public Service Commission, for the purpose of supplying light, heat and power within and through the City. All fixtures installed and maintained pursuant to this Ordinance shall be so located on public roads, streets, alleys or public places under such supervision as the City may from time to time proscribe so as not to disturb or damage unnecessarily any pavement, sidewalks, drains, sewers, water mains, fiber optic cable, traffic signal equipment, or other like improvements, and Laclede shall

repair the damage caused by such installation and maintenance to all pavement, sidewalks, drains, sewers, water mains, fiber optic cable, traffic signal equipment, or other like improvements owned or controlled by the City in a good and workmanlike manner. All such work shall be done with due and reasonable dispatch and with the least practicable interference with the rights of the public. All such facilities shall be installed and maintained with due regard to and the rightful use by other persons, vehicles or otherwise, of the public roads, streets, alleys and other public places.

SECTION NO. 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.

SECTION NO. 3. 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 Ordinance.

SECTION NO. 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 NO. 5. As consideration for the rights and privileges conferred by this Ordinance:

(a) Laclede shall be obligated to pay, and by its acceptance of this Ordinance agrees to pay to the City a sum equal to five percent (5%) 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;

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(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 from the business of supplying gas or gas service made by Laclede in the City during any period less discounts, credits, refunds and uncollectible accounts; 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 No. 5 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 said 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.

SECTION NO. 6. No franchise, right, privilege or authority given or granted by this Ordinance shall become effective until there shall have been filed with the City Clerk of the City of St. Peters, Missouri, the written acceptance of this Ordinance by Laclede, in substantially the form attached hereto and marked as Exhibit A. Such acceptance shall be so filed within ninety (90) 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 ninety (90) days, all rights, privileges, and authority herein granted shall become null and void. This Ordinance, 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 § 88.251, RSMo., (Supp. 1996).

SECTION NO. 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 that 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 St. Peters, 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-

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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 No. 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 No. 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 NO. 8. This Ordinance shall be further subject to approval or disapproval of the voters of this City only upon the terms and conditions as provided in Mo. Rev. Stat. § 88.251 (2000). If the City Clerk does not receive within thirty (30) days after the passage of this Ordinance a petition sufficient in form and signed by the requisite number of voters, it shall be a valid and binding franchise of the City upon the filing of an acceptance by Laclede according to the terms prescribed herein and shall remain in full force and effect in accordance with the terms hereof.

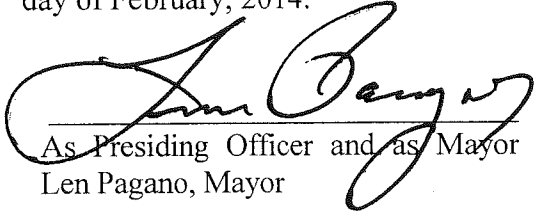
SECTION NO. 9. This Ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the public roads, streets, alleys, or other public places 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.

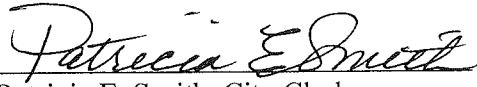
SECTION NO. 10. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other existing or prior ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION NO. 11. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE TO FOLLOW]

Read two (2) times, passed and approved this 27th day of February, 2014.


As Presiding Officer and as Mayor
Len Pagano, Mayor

Attest: 
Patricia E. Smith, City Clerk

Approved this _____ day of _____, 20_____.

Len Pagano, Mayor

Attest: _____
Patricia E. Smith, City Clerk

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

I, _____, City Clerk within and for the City of St. Peters, in the State and County aforesaid, do hereby certify that:

1. The foregoing constitutes a full, true and correct copy of Ordinance No. _____ of said City as passed by the Board of Aldermen and approved by the Mayor on the day of _____, 2014, as fully as the same appears of record in my office;

2. The franchise granted thereby remained on file with me for public inspection at least thirty (30) days before the final passage or adoption thereof.

3. I did not receive, within thirty (30) days after the final passage and approval of the Ordinance, a petition sufficient in form and signed by the requisite number of voters as set forth in § 88.251 RSMo. (2000).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of St. Peters, Missouri, at my office in said City, this _____ day of _____, 2014.

[SEAL]

City Clerk

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EXHIBIT A

ACCEPTANCE BY LACLEDE GAS COMPANY
OF ORDINANCE NO. 6091 OF THE
CITY OF ST. PETERS, MISSOURI

TO THE MAYOR, BOARD OF ALDERMEN AND CITY CLERK OF THE CITY OF
ST. PETERS, MISSOURI:

LACLEDE GAS COMPANY, for itself, its successors and assigns, hereby accepts all of
the terms and provisions of Ordinance No. 6091 of the City of St. Peters, Missouri,
entitled:

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

which ordinance was duly passed by the Board of Aldermen and signed by the Mayor on
the 27th day of February, 2014, and otherwise met the requirements of Mo.
Rev. Stat. § 88.251 (2000).

No. 6091

Dated at St. Louis, Missouri, as of the 5th day of March, 2014.

LACLEDE GAS COMPANY

By Craig Hoferlin
Craig Hoferlin
Vice President, Operations Services

ATTEST:

Ella S. Shew
Corporate Secretary

Filed in the office of the City Clerk of the City of St. Peters, Missouri, this 14th day of March, 2014.

Patricia E. Smith
City Clerk

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

I, Patricia E. Smith, City Clerk within and for the City of St. Peters, in the County and State aforesaid, do hereby certify that the foregoing constitutes a full, true and correct copy of the acceptance by Laclede Gas Company of the terms and provisions of Ordinance No. 6091 of the City of St. Peters, as filed with me on the 14th day of March, 2014, and as the same appears of the record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand at my office in the City of St. Peters, this 14th day of March, 2014.

[SEAL]

Patricia E. Smith
City Clerk

STATE OF MISSOURI

}

COUNTY OF ST. CHARLES

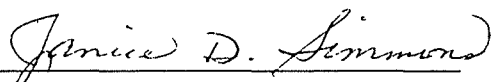
I, Janice D. Simmons, City Clerk within and for the City of St. Peters,
a Fourth Class City in the County of St. Charles, Missouri and a Municipal
Corporation organized and existing under the laws of the State of Missouri,
do hereby certify that the foregoing constitutes a true and correct copy of

ORDINANCE NO. 2568

as fully as the same remains on record in my office.

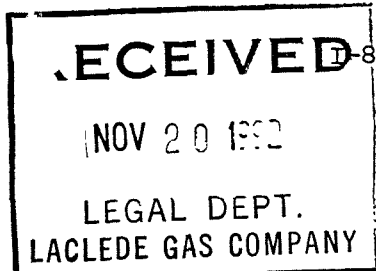
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal
of the City of St. Peters, Missouri, at my office in said City this

1st day of November, 1996.



JANICE D. SIMMONS
City Clerk, Custodian of Records
City of St. Peters, Missouri

(seal)



ORDINANCE NO. 1939

A ORDINANCE PROVIDING FOR COMPLIANCE WITH SECTION 393.275 OF REVISED STATUTES OF MISSOURI, FOR PUBLIC UTILITY GROSS RECEIPTS BUSINESS LICENSE TAX ON PUBLIC UTILITIES RECEIPTS FROM SERVICE RENDERED TO CUSTOMERS IN THE CITY OF ST. PETERS, MISSOURI

WHEREAS, Section 393.275 of the Revised Statutes of Missouri, as amended provides that the Missouri Public Service Commission of the State of Missouri must notify each city imposing a business license tax on the gross receipts of any gas corporation or electric corporation of any tariff increases authorized for such firm doing business in that city if the tariff increase exceeds seven percent (7%), and

WHEREAS, the Public Service Commission has notified the City of St. Peters, Missouri, that Laclede Gas Company has been authorized a tariff increase of fourteen and four tenths percent (14 4%) for gas service in the City of St. Peters, and its entire service area, and

WHEREAS, the City of St. Peters imposes a business license tax of 5% on the gross receipts of public utilities pursuant to Ordinance No. 89 , 91 , 489 , and 760 , as amended, and

WHEREAS, the Public Service Commission has notified the City of St. Peters that the estimated gross receipts of Laclede Gas Company in the City of St. Peters will increase by fourteen and four tenths percent (14.4%) effective October 9, 1992, and

WHEREAS, such an increase in gross receipts will provide an increase in gross receipts license tax revenues of approximately \$70,015, and

WHEREAS, said Section 393.275 of the Revised Statutes of Missouri further provides that the governing body of the city so notified by the Missouri Public Service commission shall reduce its public utility business license tax rate to the extent necessary so that the revenue for the ensuing twelve months will be approximately equal to the revenue received during the preceding twelve months plus a growth factor equal to the average of the additional revenue received in each of the preceding three years, and

WHEREAS, said Section 393.275 of the Revised Statutes of Missouri further provides that the governing body of a city may enact an ordinance to maintain its business license tax rate at the existing rate without reduction.

WHEREAS, the Board of Aldermen have determined that a reduction in the business license tax rate or the franchise tax rate on public utility gross receipts would not be in the best interest of the City of St. Peters.

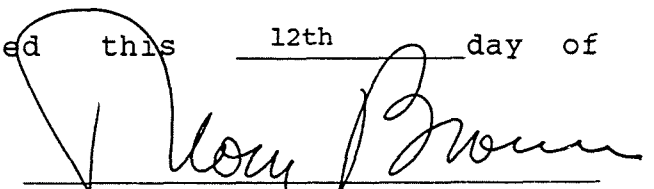
NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

Section 1. The business license tax on gross receipts of public utilities authorized by Ordinance No. 89, 91, 489, and 760, as amended shall remain at its present rate of 5% of gross receipts.

Section 2. That the City Clerk of the City of St. Peters is directed to transmit a certified copy of this Ordinance to all public utilities operating within the corporate limits of the City of St. Peters having sales subject to a gross receipts or franchise tax payable to the City of St. Peters.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approved by the Mayor.

Read two times and passed this 12th day of November, 1992

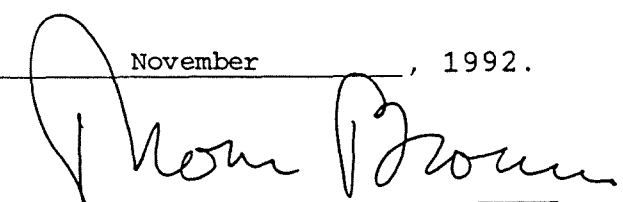


Mayor

[Seal]
Attest: 

City Clerk

Approved this 12th day of November, 1992.



Mayor

Attest: 

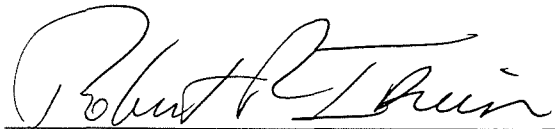
City Clerk

STATE OF MISSOURI

COUNTY OF ST. CHARLES

I, Robert R. Irvin, City Clerk within and for the City of St. Peters, Missouri, do hereby certify that the foregoing constitutes a true and correct copy of Ordinance No. 1939 as fully as the same remains on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of St. Peters, Missouri, at my office in said City this 16th day of November, 1992.



ROBERT R. IRVIN
City Clerk
City of St. Peters, Missouri

ORDINANCE NO. 1924

A ORDINANCE PROVIDING FOR COMPLIANCE WITH SECTION 393.275 OF REVISED STATUTES OF MISSOURI, FOR PUBLIC UTILITY GROSS RECEIPTS BUSINESS LICENSE TAX ON PUBLIC UTILITIES RECEIPTS FROM SERVICE RENDERED TO CUSTOMERS IN THE CITY OF ST. PETERS, MISSOURI

WHEREAS, Section 393.275 of the Revised Statutes of Missouri, as amended provides that the Missouri Public Service Commission of the State of Missouri must notify each city imposing a business license tax on the gross receipts of any gas corporation or electric corporation of any tariff increases authorized for such firm doing business in that city if the tariff increase exceeds seven percent (7%), and

WHEREAS, the Public Service Commission has notified the City of St. Peters, Missouri, that Laclede Gas Company has been authorized a tariff increase of nine and two tenths percent (9.2%) for gas service in the City of St. Peters, and its entire service area, and

WHEREAS, the City of St. Peters imposes a business license tax of 5% on the gross receipts of public utilities pursuant to Ordinance No. 89 , 91 , 489 , and 760 , as amended, and

WHEREAS, the Public Service Commission has notified the City of St. Peters that the estimated gross receipts of Laclede Gas Company in the City of St. Peters will increase by seven percent (7%) effective August 23, 1992, and

WHEREAS, such an increase in gross receipts will provide an increase in gross receipts license tax revenues of approximately \$22,400, and

WHEREAS, said Section 393.275 of the Revised Statutes of Missouri further provides that the governing body of the city so notified by the Missouri Public Service commission shall reduce its public utility business license tax rate to the extent necessary so that the revenue for the ensuing twelve months will be approximately equal to the revenue received during the preceding twelve months plus a growth factor equal to the average of the additional revenue received in each of the preceding three years, and

1 9 2 4

WHEREAS, said Section 393.275 of the Revised Statutes of Missouri further provides that the governing body of a city may enact an ordinance to maintain its business license tax rate at the existing rate without reduction.

WHEREAS, the Board of Aldermen have determined that a reduction in the business license tax rate or the franchise tax rate on public utility gross receipts would not be in the best interest of the City of St. Peters.

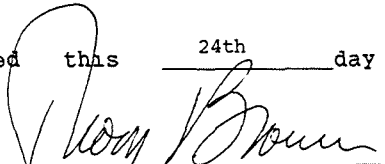
NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:

Section 1. The business license tax on gross receipts of public utilities authorized by Ordinance No. 89, 91, 489, and 760, as amended shall remain at its present rate of 5% of gross receipts.

Section 2 That the City Clerk of the City of St. Peters is directed to transmit a certified copy of this Ordinance to all public utilities operating within the corporate limits of the City of St. Peters having sales subject to a gross receipts or franchise tax payable to the City of St. Peters.

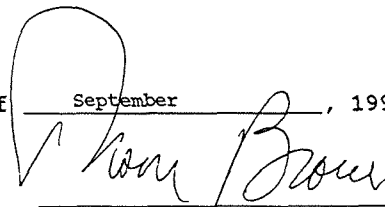
Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approved by the Mayor.

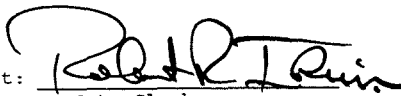
Read two times and passed this 24th day of September, 1992


Presiding Officer

[Seal] 
Attest: Robert R. Rein
City Clerk

Approved this 24th day of September, 1992.

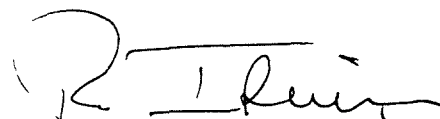

Mayor

Attest: 
City Clerk

STATE OF MISSOURI §
 §
COUNTY OF ST. CHARLES §

I, Robert R. Irvin, City Clerk within and for the City of St. Peters, Missouri, do hereby certify that the foregoing constitutes a true and correct copy of Ordinance #1924 as fully as the same remains on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of St. Peters, Missouri, at my office in said City this 22nd day of October, 1992.



ROBERT R. IRVIN
City Clerk
City of St. Peters, Missouri

BILL NO. 79-121

ORDINANCE NO. 489

AN ORDINANCE AMENDING ORDINANCE NO. 89 AND PROVIDING FOR THE ESTABLISHMENT OF A GROSS RECEIPTS TAX ON ALL SALES BY PUBLIC UTILITIES OF NATURAL AND MANUFACTURED GAS AND THE SALE OF ELECTRICITY THROUGH TRANSMISSION THEREOF BY ELECTRIC TRANSMISSION AND DISTRIBUTION LINES WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. PETERS, MISSOURI

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

SECTION NO. 1. DEFINITIONS. Section No. 1 (a) of Ordinance No. 89 is amended to read as follows:

(a) "PUBLIC UTILITY". A "public utility" for the purposes of this Ordinance is defined as any person, firm, joint venture, partnership, corporation or business enterprise engaged in the sale of natural gas, manufactured gas, butane gas, propane gas or any combination thereof, or electrical current or energy whether or not such person, firm, joint venture, partnership, corporation or business enterprise is regulated as to rates charged to customers and service by the Public Service Commission of the State of Missouri and which supplies such gas and electrical current to customers for any purpose whatsoever, so long as said electrical current or energy is transmitted to customers by transmission or distribution lines.

SECTION NO. 2. LICENSE TAX:

Every public utility as the same is defined by Section No. 1 of this Ordinance and performing the function or functions described in Section No. 1 of this Ordinance and which operates in whole or in part within the corporate limits of the City of St. Peters as the said City shall from time to time be constituted shall be subject to a license tax as hereinafter provided for.

SECTION NO. 3. LICENSE TAX WHEN PAYABLE:

Every public utility now or hereafter engaged in the business described in Section No. 1 of this Ordinance shall pay to the City of St. Peters an amount equal to five percent of such public utility's gross receipts from such business from within the corporate limits of the City of St. Peters for each calendar month. Such sum shall be paid to the City not later than 30 days following the last day of each calendar month.

SECTION NO. 4. EXCEPTIONS:

The provisions of this Ordinance shall not apply to any public utility which pays a franchise tax to the City of St. Peters, Missouri and which operates in the City of St. Peters under a franchise granted to such public utility pursuant to the provision of ~~ORD. NO. 139~~ ORD. NO. 139 provided, however, such franchised public utility shall remain obligated to pay to the City such levies upon the real and personal property belonging to any such public utility and any tax required of merchants and manufacturers and the sales tax of the City of St. Peters, and any other tax which may be lawfully required of such business.

SECTION NO. 5. EFFECTIVE DATE:

This Ordinance shall be in force and take effect from and after the 15th day of April, 1979.

Read three (3) times and adopted this 8th day of March, 1979.

Ray M. Turner
Mayor and Presiding Officer

Attest: Judith Brandenburg
City Clerk

Approved this 8th day of March, 1979.

Ray M. Turner
Mayor

Attest: Judith Brandenburg
City Clerk

CITY OF STE. GENEVIEVE

STATE OF MISSOURI

BILL NO. 3750

ORDINANCE NO. 3700

AN ORDINANCE GRANTING LACLEDE GAS COMPANY d/b/a MISSOURI NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE FOR A PERIOD OF TWENTY (20) YEARS FOR NON-EXCLUSIVE USE OF THE PUBLIC RIGHTS-OF-WAY AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE WITHIN THE CITY OF STE. GENEVIEVE, MISSOURI TO PROVIDE NATURAL GAS SERVICE WITHIN THE CITY

Whereas, the City of Ste. Genevieve, Missouri, as GRANTOR, seeks to grant Missouri Natural Gas Company, as GRANTEE, a franchise for use of the public rights-of-way in the City and areas dedicated to the City for public utility use for the purpose of transmitting, furnishing, transporting natural gas within and through the City and supplying natural gas to the residents of the City;

Now Therefore, be it ordained by the Board of Aldermen of the City of Ste. Genevieve, Missouri, as follows:

SECTION 1. GENERAL

- 1.1 **Preservation of Police Power Authority.** Any rights granted to GRANTEE pursuant to this Franchise are subject to the authority of the City to adopt and enforce ordinances necessary to the health, safety, and welfare of the public.
- 1.2 **Defined Terms.** For purposes of this Franchise, the terms, phrases, words, and their derivatives shall have the meanings as set forth in the Excavation Code of the City, Ordinance No. 2629 (the "Code" or "Excavation Ordinance"). GRANTEE shall be subject to all requirements of a "Excavation User" therein in addition to any supplementary obligations expressed herein.
- 1.3 **Franchise Subject to Provisions of Excavation Ordinance.** This Franchise fully incorporates the provisions of the Excavation Ordinance as if fully set forth herein, and GRANTEE agrees as a part of this Franchise to abide by the provisions of such Code, and to be subject to the enforcement by the City as provided therein and in this Franchise as a material term herein. This Franchise may establish supplementary obligations on GRANTEE, but nothing in this Franchise shall be deemed to waive any obligation or requirement applicable to GRANTEE authorized or established by the Code.
- 1.4 This Franchise is subject to the current Gross Receipts Tax of 5%.

SECTION 2. GRANT OF AUTHORITY TO USE THE RIGHTS-OF-WAY

- 2.1 **Franchises Non-Exclusive.** This Franchise shall grant nonexclusive privileges to use the Rights-of-Way and areas dedicated to the City for public utility use for the purpose of transmitting, furnishing, transporting natural gas within and through said City and supplying natural gas to the residents of the City. The City specifically reserves the right to grant, at any time, such additional Franchises or other rights to use the Rights-of-Way for any purpose and to any other person, including itself, as it deems

appropriate, subject to applicable federal and state law.

- 2.2 **Nature of Rights Granted by this Franchise.** This Franchise shall not convey title, equitable or legal, in the Rights-of-Way, and gives only the consent to occupy Rights-of-Way, for the purposes and for the period stated in this Franchise and subject to the requirements herein. This Franchise shall not grant the right to use Facilities owned or controlled by the City or a third-party, without the separate consent of such party, nor shall it excuse GRANTEE from obtaining appropriate access or pole attachment agreements before locating on Facilities controlled or owned by the City or a third party.
- 2.3 **Grant.** The City of Ste. Genevieve, Missouri, (hereinafter referred to as "GRANTOR") hereby grants a non-exclusive franchise to Laclede Gas Company d/b/a Missouri Natural Gas Company, (hereinafter called "GRANTEE"), its lessees, successors and assigns. Subject to the conditions herein, GRANTEE is hereby granted the right, privilege, franchise, permission and authority to construct, maintain, operate and extend in the present and future Public Rights-of-Way as are now within the present or future limits of said GRANTOR, a natural gas distribution system for the purpose of supplying natural gas or processed gas for all purposes to the inhabitants of said GRANTOR and consumers in the vicinity thereof, and for the distribution of natural gas from or through GRANTOR to points beyond the limits thereof. GRANTOR further grants GRANTEE the right, permission and authority to lay, install, maintain, and operate over, across and along the Public Rights-of-Way of all mains, services, pipes, conduits and appliances necessary or convenient for transmitting, transporting, distributing and supplying natural gas for all purposes for which it may be used, and to do all other things necessary and proper in providing natural gas service to the inhabitants of the GRANTOR and in carrying on such business. This grant shall extend only to the use of Public Rights-of-Way and areas dedicated to the City for public utility use for the purposes stated herein and GRANTEE may use other public property interests of GRANTOR only by separate agreement setting forth the terms thereof.
- 2.4 **Use of Rights-of-Way; Police Powers; Grantee's Use Subordinate.** The GRANTEE shall construct and maintain its Facilities in accordance with all applicable federal, state and local laws, including all permit requirements, and fee payments, and all other City codes and ordinances in effect as of the date of this Franchise or hereinafter adopted to the extent not in contravention of state or federal law. The City makes no express or implied representation or warranty regarding its rights to authorize the installation or construction of facilities on any particular segment of Rights-of-Way. The burden and responsibility for making all such determinations in advance of construction or installation shall be entirely upon the GRANTEE. The use of the Rights-of-Way authorized by this Franchise shall in all matters be subordinate to the City's use and rights therein and GRANTEE shall be limited to such uses as have been expressly granted to GRANTEE by the City.
- 2.5 **No Interference.** GRANTEE shall construct and maintain its Facilities so as not to unreasonably interfere with other users of the Rights-of-Way. Except as may otherwise be provided, the GRANTEE shall make reasonable efforts to notify all residents reasonably expected to be affected by the proposed work prior to commencement of such work. All construction and

maintenance by GRANTEE or its subcontractors shall be performed in accordance with industry standards.

- 2.6 **Notification, Joint Installation and Collocation Requirements.** GRANTEE shall, prior to any excavation or installation within the Rights-of-Way, provide sufficient notification and joint installation opportunity on a shared-cost basis to potential users of the Rights-of-Way as may be required by the City.
- 2.7 **Grantee Responsible for Costs.** The GRANTEE shall be responsible for all reasonable costs borne by the City that are directly associated with GRANTEE'S installation, maintenance, repair, operation, use, and replacement of its Facilities within the Rights-of-Way, that are not otherwise accounted for as part of the Permit fee established pursuant to the Code. All such costs shall be itemized and the City's books and records related to these costs shall be made available upon request to the GRANTEE. GRANTEE shall be responsible for its own costs incurred removing or relocating its Facilities when required by the City due to City requirements relating to maintenance and use of the Rights-of-Way for City purposes.

SECTION 3. TERM

This Franchise shall be effective for a term of Twenty (20) years from the effective date herein of this Franchise, subject to termination or forfeiture as provided herein.

SECTION 4. TAXES

The GRANTEE agrees to pay all applicable taxes including gross receipts tax of 5%, license taxes, business taxes and other applicable taxes of the City, and failure to pay such taxes shall be considered a material breach of this Franchise. GRANTEE shall be subject to audit and shall itemize by category of service the amount received and taxes paid for services provided by Facilities in the Right-of-way. Such taxes shall be in addition to compensation or reimbursement of costs relating to use of the Public Rights-of-Way, if any, required by the City by ordinance, subject to any limitations of applicable state or federal law.

SECTION 5. TRANSFER OF FRANCHISE OR FACILITIES

- 5.1 **Transfer of Franchise.** The GRANTEE shall not sell, transfer, lease, assign, sublet or dispose of, in whole or in part, either by forced or voluntary sale, or by ordinary sale, consolidation, or otherwise, this Franchise or any of the rights or privileges granted by this Franchise, without thirty (30) days written notice; and provided further that rights of GRANTEE shall not transfer except to and from an entity in full compliance with the requirements of this Franchise and EXCAVATION Ordinance provision, including but not limited to, the provisions for insurance and bonding. The City reserves the right to be reimbursed for its reasonable costs relating to any noncompliance. GRANTEE shall not change its name under which it does business with the public without providing at least thirty (30) days prior notice to the City.
- 5.2 **Sale or Lease of Facilities.** Except as otherwise may be provided by law, GRANTEE shall not lease, sell, or otherwise transfer possession or control of the Facilities, or any portion thereof, for any purpose to any person that has not

obtained a duly issued Franchise (whether new or transferred), or other grant by the City to use the Rights-of-Way and which includes the authority to use or maintain such leased or transferred Facilities. Any sale or lease of less than all of GRANTEE'S facilities within City EXCAVATION shall not occur until the transferee shall have obtained an approved EXCAVATION Agreement or Franchise with the City for continued use, or if applicable, an agreement for removal of the transferred facilities. This provision shall not apply to any interest transfer that does not permit the transferee physical access to or right of alteration of such facilities.

- 5.3 **Franchise Binding on Assignee.** In the event of a sale, transfer, assignment or any other transaction GRANTEE may enter into which involves transfer of GRANTEE'S rights, duties and privileges under this Ordinance, all provisions of this Ordinance which are obligatory upon, or which inure to the benefit of GRANTEE shall also be obligatory upon and shall inure to the benefit of any and all successors and assigns of GRANTEE. Further, all obligations, duties, liabilities, limitations, prohibitions, amendments and forfeitures by this Ordinance created or imposed upon GRANTEE shall be binding upon and be assumed, kept and performed by its legal and bona fide assigns and successors in interest, according to the true intent and purpose of this Ordinance, whether expressly so stated or not.

SECTION 6. FORFEITURE OF LICENSE AND PRIVILEGE.

In case of failure on the part of the GRANTEE, its successors and assigns, to comply with any of the provisions of this Franchise, including the provisions of the Code, or if the GRANTEE, its successors and assigns, should do or cause to be done any material act or thing prohibited by or in violation of the terms of this Franchise, including the provisions of the Code, the GRANTEE, its successors and assigns, shall forfeit all rights and privileges permitted herein, and all rights hereunder shall cease, terminate and become null and void, provided that said forfeiture shall not take effect until the City shall carry out the following proceedings: Before the City proceeds to forfeit this Franchise, it shall first serve a written notice upon the Company, setting forth in detail the neglect or failure complained of, and the Company shall have thirty (30) days thereafter in which to cure the default by complying with the conditions of this Franchise. If at the end of such thirty (30) day period the City reasonably determines that the conditions have not been complied with the City shall take action by an affirmative vote of the City Council present at the meeting and voting, to terminate the Franchise; setting out the grounds upon which said Franchise is to be canceled or terminated. Nothing herein shall prevent the City from taking any other action or remedy as may be set forth in the Code or as may otherwise exist at law.

SECTION 7. GENERAL CONDITIONS

- 7.1 **Compliance with Laws.** In performing activities and exercising its rights and obligations under this Franchise, the GRANTEE shall comply with all applicable federal, state and local laws, ordinances, regulations and policies, including, but not limited to, all laws, ordinances, regulations and policies relating to construction, bonding, insurance, and use of public property.
- 7.2 **Use of Public Rights-of-Way by Grantee.** In addition to all other applicable laws, orders, rules and regulations, GRANTEE shall use the Public Rights-of-Way and areas dedicated to the City for public utility use subject to the additional following requirements:

- (a) GRANTEE shall be required to pay any applicable fee as required by ordinance for the performance of Facilities Work or Excavation in the Public Rights-of-Way.
- (b) GRANTEE shall coordinate and perform its Facilities Work in a manner that minimizes adverse impact on Public Improvements and Public Projects, as reasonably determined by the GRANTOR.
- (c) All earth, materials, sidewalks, paving, crossings, utilities, public improvements or improvements of any kind, damaged or removed by GRANTEE in its activities and Excavations under this Ordinance, shall be fully replaced promptly by GRANTEE at its sole expense and to the reasonable satisfaction of the GRANTOR.
- (d) GRANTEE shall at all times during the term of this franchise supply to consumers of gas energy, residing in those existing and any future portions of the GRANTOR located within the present and any future certificated service territory of GRANTEE, such gas energy as they may require, and shall extend and construct its lines and services in accordance with legal requirements, and on terms and conditions prescribed by rules and regulations filed from time to time with the Public Service Commission of the State of Missouri. Nothing contained herein shall be construed as a guarantee by the GRANTEE to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the GRANTEE'S control are specifically exempted from the terms of this Section. The GRANTEE shall also have the right to temporarily discontinue service as reasonably required in making repairs, maintaining or extending its Facilities.
- (e) Prior to construction, reconstruction or relocation of any Facilities in the Public Rights-of-Way, GRANTEE shall submit to the Public Works Director and City Engineer for approval, plans and specifications of the proposed installation. Such approval shall not be unreasonably withheld, delayed or conditioned.
- (f) It shall be the sole responsibility of GRANTEE to take reasonable measure to protect and defend its Facilities in the Public Rights-of-Way from harm or damage, including the removal of trees and related root systems. GRANTEE shall timely locate Facilities in accordance with the applicable requirements when requested by GRANTOR.
- (g) GRANTEE shall notify the GRANTOR not less than ten (10) working days in advance of any Facilities Work that would require any street closure that reduces traffic flow to less than two lanes of moving traffic. Except in the event of any emergency, no such closure shall take place without such notice and prior authorization from the GRANTOR. Where emergency actions are taken, GRANTOR shall promptly thereafter provide notification and comply with permit and other procedures

Otherwise required. In addition, all work performed in the traveled way or which in any manner impacts vehicular or pedestrian traffic shall, at GRANTEE'S expense, be properly signed, barricaded, and otherwise protected in accordance with the latest edition of the Manual on Uniform Traffic Control Devices, including but not limited to the Standards and Guides for Traffic Controls for Street and Highway Construction, Maintenance, Utility, and Incident Management Operations.

- (h) All Facilities Work shall be performed in accordance with applicable present and future rules and regulations of the Public Service Commission of the State of Missouri, as well as applicable Federal, State and City laws and regulations. It is understood that the standards established in this paragraph are minimum standards and the other requirements established or referenced in this Franchise may be in addition to or stricter than such minimum standards.

- 7.3 **Enforcement; Attorneys' Fees.** The City shall be entitled to enforce this Franchise through all remedies lawfully available, and GRANTEE shall pay City its costs of enforcement. Including reasonable attorneys' fees in the event that GRANTEE is determined judicially to have violated the terms of this Franchise.
- 7.4 **Relationship of the Parties.** Under no circumstances shall this Franchise be construed as one of agency, partnership, joint venture, or employment between the parties.
- 7.5 **Relocation or Removal of Facilities.** Whenever the City shall in its exercise of the public interest request of the GRANTEE the relocation or reinstallation of any of its Facilities, GRANTEE shall forthwith remove, relocate, or reinstall any such property as may be reasonably necessary to meet the request, and the cost of such relocation, removal, or reinstallation of the Facilities shall be the exclusive obligation of said GRANTEE without expense to the City. GRANTEE shall upon 30-day prior written request of any other person requesting relocation of Facilities and holding a validly issued building or moving permit of the City, and within forty-eight (48) hours prior to the date upon which said person intends to exercise its rights under said permit, temporarily raise, lower, or relocate its Facilities as may be required for the person to exercise the rights under the permit. GRANTEE may require such permit holder to make payment in advance for any expenses incurred by GRANTEE pursuant to said person's request. If any Facilities are not relocated in accordance with this section and within the reasonable time frames required by the City, GRANTEE shall be in default unless such failure is cured as provided in Section 6.
- 7.6 **No Cause of Action Against the City.** GRANTEE expressly acknowledges that it accepted the rights herein granted in reliance upon its independent and personal investigation and understanding of the power of authority of said City to enter into the Franchise herein with GRANTEE; provided further that the GRANTEE acknowledges by its acceptance of said Franchise that it has not been induced to enter into this Franchise upon any understanding, or promise, whether given verbally or in writing by or on

behalf said City, or by any other person concerning any term or condition of this Franchise not expressed herein; provided further that the GRANTEE acknowledges by the acceptance of this Franchise that it has carefully read the provisions, terms, and conditions hereof and all incorporated provisions and is willing to, and does accept, all of the risk attendant to said provisions, terms, and conditions. Nothing herein shall be deemed to waive the City's sovereign immunity.

SECTION 8. INDEMNIFICATION

GRANTEE at its sole cost and expense, hereby agrees to indemnify, protect, defend (with counsel acceptable to the City) and hold harmless the City, its elected officials, officers, employees, and agents, from and against any and all claims, demands, losses, damages, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, and all costs and expenses of any kind, including, without limitation, reasonable attorney's fees and costs of defense imposed upon it on account of injury or damage to person or property caused by GRANTEE 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 Rights-of-Way or areas dedicated to the City for public utility use in the City in exercise of any of the rights and privileges conferred by this ordinance, except to the extent arising from or caused by the sole or gross negligence or willful misconduct of the City, its elected officials, officers, employees, agents or contractors. This indemnification shall survive the expiration or termination of this Franchise for a period of five (5) years after the effective date of expiration or termination.

SECTION 9. INSURANCE

GRANTEE shall file with the City evidence of liability insurance with an insurance company licensed to do business in Missouri. At all times while this Ordinance remains in effect, and in recognition of the indemnification provisions set forth herein, GRANTEE shall, at its own cost and expense, maintain a program of commercial general liability insurance and/or self-insurance in the amounts specified below to protect GRANTEE and the City, its officers, agents, employees, elected officials, and attorneys, each in their official and individual capacities, from any liability for bodily injury, death and property damage occasioned by the activities of GRANTEE, or any Person acting on its behalf, under this Ordinance, including, but not limited to, GRANTEE'S operations, products, services or use of automobiles or construction equipment. As proof of this compliance, GRANTEE shall, during the life of this Ordinance, keep on file with the Clerk of the City a certificate of insurance with an insurance company licensed to do business in the State of Missouri and/or affidavit of self-insurance which shall show the types and amounts of coverage and showing the City as an additional insured. Any affidavit of self-insurance shall be signed by an employee or officer of GRANTEE who has knowledge of GRANTEE'S self-insurance program and is authorized to make representations as to the scope of said program, and shall contain a statement making such representations. GRANTEE shall not permit any subcontractor to commence or continue work until both shall have obtained or caused to be obtained all insurance required under this section. Such insurance shall be in an amount of not less than \$345,499.00 per person in a single accident or occurrence and not less than \$2,303,326.00 for all claims arising out of a single accident or occurrence together with worker's compensation coverage of statutory minimums. These limits of liability for each

policy coverage amount shall be automatically adjusted upward as necessary to remain at all times not less than the maximum amount of liability set forth in Chapter 537.610 RSMo. applicable to political subdivisions pursuant to 537.600; provided that nothing herein or in any such policy shall be deemed to waive the City's sovereign immunity.

SECTION 10. MISCELLANEOUS

- 10.1 This Franchise, together with all Exhibits, shall constitute the entire Franchise and no negotiations or discussions prior to execution shall be of any effect.
- 10.2 The invalidity in whole or in part of any provision shall not affect the validity of any other provision.
- 10.3 The right and remedies of GRANTOR and the City shall be cumulative and in addition to any other rights and remedies provided by law or equity. A waiver of a breach of any provision thereof shall not constitute a waiver of any other breach. The laws of the State of Missouri shall govern this Franchise.
- 10.4 This Franchise shall create no third-party beneficiary rights.
- 10.5 Notices shall be in writing, mailed certified with return receipt requested, effective upon receipt and sent to:

GRANTEE:

Missouri Natural Gas
410 West Main St (PO Box 219)
Festus, MO 63028 Attn:
David Picarella 636-931-8383

GRANTOR:

City of Ste. Genevieve, Missouri
165 S. 4th Street
Ste. Genevieve, MO 63670

or to replacement addresses that may be later designed in writing.

SECTION 11. EFFECTIVE AND ACCEPTANCE

This Franchise Ordinance shall become effective upon its final passage and approval by GRANTOR, in accordance with applicable laws and regulations, and upon the filing by GRANTEE of a notarized and binding unconditional acceptance of this Franchise Ordinance, and terms herein, within one hundred and twenty (120) days of passage by the governing body, and filed with the City Clerk of the City of Ste. Genevieve City, Missouri. In the event that no such unconditional acceptance is filed by GRANTEE In substantially the form attached hereto and Incorporated herein within one hundred and twenty (120) days of passage of this ordinance, then GRANTEE and its assigns and successors shall have no right, privilege or authority of any kind from this Franchise and such franchise shall become null and void.

SECTION 12: This ordinance shall be in effect following its passage.

DATE OF 1ST READING: **September 30, 2010**

DATE OF 2ND READING: October 14, 2010

PASSED AND APPROVED THIS 14 DAY OF October, 2010, BY A ROLL CALL VOTE OF THE STE. GENEVIEVE BOARD OF ALDERMEN AS FOLLOWS:

VOTE:

Alderman Marler	Aye <u> </u>
Alderman Steiger	Aye <u> </u>
Alderman Okenfuss	Aye <u> </u>
Alderman Couch	Aye <u> </u>
Aldermen Brumfield	Aye <u> </u>
Alderman Rogers	Aye <u> </u>
Alderman Jokerst	Aye <u> </u>
Alderman Stuppy	Aye <u> </u>

8 Ayes 0 Nays 0 Absent



MAYOR, RICHARD GRENINGER

ATTEST:



CITY CLERK, PAM MEYER

(SEAL)

APPROVED AS TO FORM:



CITY ATTORNEY, FRANK ELPERS

REVIEWED BY:



CITY ADMINISTRATOR, MICHAEL C. FALLERT

SPONSORED BY: ALDERMAN PAUL McCULLOCH

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 SULLIVAN, 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; AND AUTHORIZING THE MAYOR TO EXECUTE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SULLIVAN, 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 Sullivan, 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 Sullivan, 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 Sullivan, 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 Sullivan

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 Sullivan 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 Sullivan, 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 Sullivan, 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. This ordinance shall take effect and the rights, privileges and authority hereby

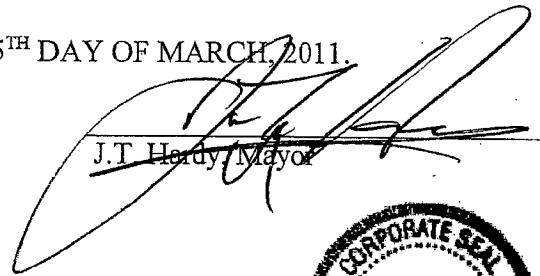
granted and renewed shall vest in Missouri Natural upon its filing of an acceptance with the City Clerk according to the terms prescribed herein; subject only to the approval or disapproval of the voters of this City only upon the terms and conditions provided in 88.251 RSMo. (1989). If the City Clerk 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 City and shall remain in full force and effect.

SECTION 11. The grantee at its expense shall protect, support, temporarily disconnect, relocate, or remove any property of Grantee when, in the opinion of the City the same is required by reason of traffic conditions; public safety; street vacation; freeway or street construction; change or establishment of street grade; installation of sewers, drains, water pipes, power line, signal lines; transportation facilities, tracks or any other types of structures; improvements by governmental agencies, whether acting in a governmental or proprietary capacity or any other structure or public improvement. The Grantee shall in all cases have the privilege, subject to the corresponding obligations, to abandon any property of Grantee in place. In exercising these rights, City will use its best efforts and judgment to weight the interest of all involved parties, and to take into consideration the most cost effective manner of making any changes in the location. Nothing hereunder shall be deemed a taking of the property of Grantee and Grantee shall be entitled to no surcharge by reason of anything hereunder. If an any time during the period of the franchise the City shall elect to alter its infrastructure, the Grantee, upon reasonable notice by the City, shall remove or relocate its gas infrastructure at its own expense within (30) days of receiving final plans. Not withstanding anything to the contrary herein, to the extent Grantee's facilities are located on easement, Grantee shall be entitled to reimbursement for all expenses incurred by Grantee in connection with any work it undertakes to protect, support, temporarily disconnect, relocate or remove its facilities within such easement.

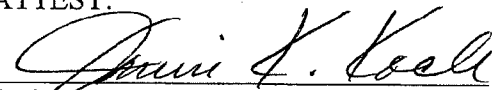
SECTION 12. As consideration for the rights and privileges conferred by this ordinance, Missouri Natural shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

SECTION 13. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 15TH DAY OF MARCH, 2011.

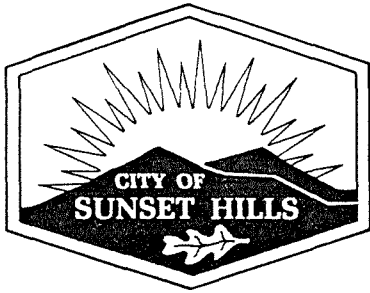

J.T. Hardy, Mayor

ATTEST:


Janice K. Koch, City Clerk



ALDERMAN JARRETT DACE	AYE
ALDERMAN MIKE RYAN, JR.	AYE
ALDERMAN THOMAS LEASOR	AYE
ALDERMAN MICHAEL LOHDEN	AYE
ALDERMAN PAUL McCULLOCH	AYE
ALDERMAN DENNIS WATZ	AYE



*How do we know what costs?
3-9-94 - SP
Call me if you have any questions.*

CITY OF SUNSET HILLS

3939 SOUTH LINDBERGH BOULEVARD
SUNSET HILLS, MISSOURI 63127-1395
(314) 849-3400 • FAX (314) 849-8110

TO: Laclede Gas Company,
Tax Administration Department

FROM: Patricia Seabaugh, City Clerk

DATE: April 7, 1994

SUB: Increase in gross receipts tax

cc: To File

Enclosed please find a certified copy of our Ordinance No. 1100, which was passed by our electorate on April 5, 1994. As you will see, this ordinance increases the gross receipts tax you collect for us from 5% to 7½% for commercial users only. Please commence this collection as soon as possible and notify me of your beginning date please.

I have also included a certified copy of our Ordinance No. 1104, which called the election on this issue. If you need anything further, please feel free to call me. My phone number is 849-3400; my fax number is 849-8110.

Please note further that no tax shall be levied on proceeds derived from service supplied to any buildings belonging to the City of Sunset Hills.

BILL NO. 35

ORDINANCE NO. 1100

AN ORDINANCE AMENDING THE CODE OF ORDINANCES PERTAINING TO ANNUAL LICENSE OR OCCUPATIONAL TAX ON PERSONS, FIRMS, COMPANIES OR CORPORATIONS ENGAGED IN THE BUSINESS OF FURNISHING GAS OR GAS SERVICE IN THE CITY OF SUNSET HILLS, BY RAISING SUCH LICENSE TAX FROM 5% OF GROSS RECEIPTS TO 5% OF GROSS RECEIPTS FOR RESIDENTIAL SALES AND 7.5% OF GROSS RECEIPTS FOR COMMERCIAL SALES.

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

Section 1: Sec. 25-25 of the Code of Ordinances is hereby repealed and enacted in lieu thereof is a new Sec. 25-25 which reads as follows, to-wit:

Sec. 25-25. Imposed.

Every person, firm, company or corporation now or hereafter engaged in the business of furnishing gas or gas service in the City of Sunset Hills, Missouri, shall pay to the city as an annual license or occupational tax five (5) percent of the gross receipts derived from residential sales and seven and one-half (7.5%) percent of the gross receipts derived from commercial sales from such business within the city, provided, however, no tax shall be levied on proceeds derived from gas or gas service supplied to buildings belonging to the City of Sunset Hills.

Section 2: This ordinance shall take effect immediately upon its passage and approval, and its approval by the electorate as required by law.

PASSED THIS 25th DAY OF January, 1994.

APPROVED THIS 25th DAY OF January, 1994.

Wendell F. Engel
MAYOR

ATTEST:

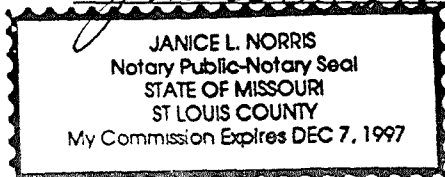
P. A. Seabaugh
CITY CLERK

I certify that this is a true and exact copy of Ordinance #1100 as it appears in the City Journal and Code of Ordinances of the City of Sunset Hills, Missouri.

P. A. Seabaugh
Patricia A. Seabaugh
City Clerk/Treasurer

Dated this April 7, 1994

Notarized Janice L. Norris



BILL NO. 39

ORDINANCE NO. 1104

AN ORDINANCE PROVIDING FOR A SPECIAL ELECTION ON TUESDAY, APRIL 5, 1994, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED VOTERS OF THE CITY THE PROPOSITIONS FOR THE SETTING OF NEW ANNUAL LICENSES OR OCCUPATIONAL TAXES ON THE BUSINESSES OF ELECTRIC SERVICE, GAS SERVICE, WATER SERVICE AND TELEPHONE SERVICE.

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

Section 1: There is hereby called a Special Election to be held on Tuesday, the 5th day of April, 1994, in the City of Sunset Hills, at which there shall be submitted to the qualified voters of said city the propositions of the approval, or rejection, of the setting of new annual licenses or occupational taxes on the businesses of electric service, gas service, water service and telephone service.

Section 2: The propositions submitted to the qualified voters at said election shall be substantially in the following form, to-wit:

Proposition 4

Shall the annual license or occupational tax on the business of furnishing electricity or electric service remain 5% of the gross receipts derived from residential sales and be increased from 5% to 7.5% of the gross receipts derived from commercial sales within the city?

Yes

No

Proposition 5

Shall the annual license or occupational tax on the business of furnishing gas or gas service remain 5% of the gross receipts derived from residential sales and be increased from 5% to 7.5% of the gross receipts derived from commercial sales within the city?

Yes

No

Proposition 6

Shall the annual license or occupational tax on the business of furnishing telephone service or exchange telephone service remain 5% of the gross receipts derived from residential sales

and be increased from 5% to 7.5% of the gross receipts derived from commercial sales within the city?

Yes

No

Proposition 7

Shall the annual license or occupational tax on the business of furnishing water or water service remain 5% of the gross receipts derived from residential sales and be increased from 5% to 7.5% of the gross receipts derived from commercial sales within the city?

Yes

No

Section 3: This ordinance shall take effect immediately upon its passage and approval.

PASSED THIS 25th DAY OF January, 1994.

APPROVED THIS 25th DAY OF January, 1994.

Kenneth F. Vogel
MAYOR

ATTEST:

P. A. Seabaugh
CITY CLERK

I certify that this is a true and exact copy of Ordinance #1104 as it appears in the City Journal and Code of Ordinances of the City of Sunset Hills, Missouri.

P. A. Seabaugh
Patricia A. Seabaugh
City Clerk/Treasurer

Dated this _____

Notarized _____

BILL NO. 33

ORDINANCE NO. 596

AN ORDINANCE, REPEALING ORDINANCE 25 OF THE CITY OF SUNSET HILLS, MISSOURI, AND ENACTING IN LIEU THEREOF AN ORDINANCE LEVYING A LICENSE OR OCCUPATIONAL TAX UPON ALL PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF GAS OR GAS SERVICE FOR COMPENSATION FOR ANY PURPOSES IN THE CITY OF SUNSET HILLS, MISSOURI; PROVIDING FOR THE FILING OF MONTHLY REPORTS BY SAID PERSONS, FIRMS OR CORPORATIONS, FIXING THE DATE AND MANNER OF PAYMENT OF SAID TAX, AND PRESCRIBING PENALTIES ON DELINQUENT TAXES, AND FOR VIOLATIONS THEREOF.

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

SECTION ONE: Ordinance No. 25 is hereby repealed.

SECTION TWO: Every person, firm, company or corporation now or hereafter engaged in the business of furnishing exchange gas service in the City of Sunset Hills, Missouri, shall pay to the said City as an annual license or occupational tax five (5%) percent of the gross receipts derived from such business within the said City, hereinafter set forth, provided however no tax shall be levied on proceeds derived from gas or gas service or power supplied to buildings belonging to the City of Sunset Hills.

SECTION THREE: Every person, firm or corporation engaged in the business hereinbefore set forth in the City of Sunset Hills, Missouri, is hereby required to file with the City Clerk of said City on or before the tenth (10th) day of each month, after the effective date of this ordinance, a sworn statement showing the gross receipts derived from the transaction of such business in the City for the previous calendar month and at the same time pay to the said City Collector the tax hereinbefore set forth.

SECTION FOUR: The City 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 making such return in order to ascertain in the accuracy thereof.

SECTION FIVE: Nothing contained in this ordinance shall be so construed as to exempt any person, firm or corporation to which this ordinance is applicable from the payment to the City of Sunset Hills of the tax which the said City levies upon the real or personal property belonging to such person, firm or corporation.

SECTION SIX: Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof fined not less than \$10.00 nor more than \$100.00 for each such offense, and each day such violation continues shall be deemed a separate offense.

SECTION SEVEN: This ordinance shall take effect and be in force immediately from and after its passage as provided by law, and delinquent taxes hereunder shall be subject to penalties as provided for under the provisions of other ordinances of the City.

Passed this 3rd day of February, 1976

Approved this 3rd day of February, 1976

A. DeBenedictis
Mayor

ATTEST:

Margery H. Royal
City Clerk

CERTIFICATION

I, Margery H. Royal, City Clerk, hereby certify that the above is a true and exact copy of Ordinance #596 as it appears in the Journal of the Board of Aldermen of the City of Sunset Hills.

(SEAL)

Margery H. Royal
Margery H. Royal, City Clerk

BILL NO. 36

ORDINANCE NO. 600

AN ORDINANCE AMENDING ORDINANCES NO. 594, 595, 596 AND 597 OF THE CITY OF SUNSET HILLS, MISSOURI, RELATING TO THE LEVYING OF A LICENSE OR OCCUPATIONAL TAX UPON ALL PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING GAS OR GAS SERVICE, WATER OR WATER SERVICE, ELECTRICITY OR ELECTRIC SERVICE, TELEPHONE OR EXCHANGE TELEPHONE SERVICE FOR COMPENSATION FOR ANY PURPOSE IN THE CITY OF SUNSET HILLS, MISSOURI; PROVIDING FOR THE FILING OF MONTHLY REPORTS BY SAID PERSONS, FIRMS OR CORPORATIONS, FIXING THE DATE AND MANNER OF PAYMENT OF SAID TAX AND PRESCRIBING PENALTIES ON DELINQUENT TAXES AND FOR VIOLATIONS THEREOF.

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

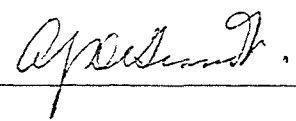
SECTION 1: Section three (3) of Ordinances No. 594, 595, 596 and 597 of the City of Sunset Hills, Missouri, is hereby amended by deleting therefrom the following words and figures, to-wit: "tenth (10th) day of each month", and inserting in lieu thereof the following words and figures, to-wit: "thirtieth (30th) day of each month".

SECTION 2: Ordinance No. 596 of the City of Sunset Hills, Missouri, is further amended by adding to paragraph two (2) thereof the following additional provision, to-wit: "The term "gross receipts" as used herein means the aggregate amount of all sales and charges for the commodities or services hereinabove described during any period less discounts, credits, refunds and sales taxes".

SECTION 3: This ordinance shall take effect immediately upon its passage and approval.

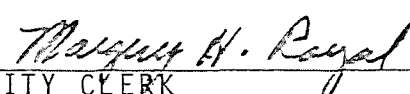
PASSED THIS 2nd day of March, 1976.

APPROVED THIS 2nd day of March, 1976.



MAYOR

ATTEST:



CITY CLERK



RECEIVED

OCT 23 1992

October 20, 1992

Mr. Larry J. Bannes
Laclede Gas Company
720 Olive Street
St. Louis, MO 63101

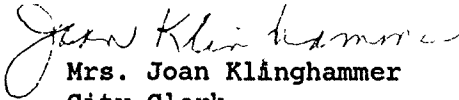
RE: License Tax

Dear Mr. Bannes:

Enclosed please find Ordinance No. 1632, passed and approved the 19th day of October, 1992. Ordinance 1632 maintains the 7% business license tax on the gross receipts derived from supplying gas or gas service for non-residential purposes within the City of Town and Country as provided in Ordinance No. 690, as currently amended by Ordinance No. 942.

If you have any question please feel free to call.

Sincerely,


Mrs. Joan Klinghammer
City Clerk

Introduced by the Board of Aldermen as a Whole

Bill No. 92-69

ORDINANCE NO. 1632

AN ORDINANCE TO MAINTAIN THE RATE OF THE LICENSE
TAX TO BE PAID BY THOSE ENGAGED IN THE BUSINESS
OF SUPPLYING GAS OR GAS SERVICE FOR COMPENSATION

WHEREAS, Ordinance No. 690, as currently amended by Ordinance No. 942, provides that suppliers of gas or gas service for compensation for any purpose within the City of Town and Country, Missouri, shall pay to the City, as a license tax a sum equal to 7% of the gross receipts derived from supplying gas or gas service for non-residential purposes; and

WHEREAS, Section 393.275(2) RSMO (1986) provides that the governing body of a city notified by the Missouri Public Service Commission of an increase in excess of seven percent (7%) in the tariff for utility services shall reduce the tax rate of its business license tax on the gross receipts of utility corporations unless an ordinance is enacted by the governing body of the city so notified to maintain its tax rate without reduction; and

WHEREAS, the City of Town and Country was notified on August 27, 1992, of a tariff increase in excess of seven percent (7%) approved for Laclede Gas Company by the Missouri Public Service Commission effective August 23, 1992; and

WHEREAS, the City of Town and Country was notified on October 16, 1992, of a tariff increase in excess of seven percent (7%) approved for Laclede Gas Company by the Missouri Public Service Commission effective October 9, 1992; and

WHEREAS, the Board of Aldermen has determined that it is in the best interest of the City of Town and Country to maintain the current license tax rate as provided in Ordinance No. 690, as currently amended.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TOWN AND COUNTRY, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the provisions of Section 393.275(2) RSMO (1986), the tax rate of the City of Town and Country's business license tax on the gross receipts derived from supplying gas or gas service for non-residential purposes by every person engaged in the business of supplying gas or gas service for compensation for any purpose within the City of Town and Country shall be maintained as provided in Ordinance 690, as currently amended by Ordinance No. 942.

Section 2. 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 October, 1992.

Elizabeth F. Perry
Elizabeth F. Perry, Mayor

Attest:

Joan Klinghammer
Joan Klinghammer, CMC
City Clerk

BLA
HLK

(1) "billin^g periods beginning on Jan 1"

(2) "effective with merge periods, beginning Jan 1"

LACLEDE GAS COMPANY
INTRA-COMPANY CORRESPONDENCE

December 2, 1985

Was same similar language with the Town Ord. if so did we follow it

LJC 1/3

Messrs. Bill Posegate
Norm Porch
Jim Gaebler
Harry Kraemer
Dennis Clark


Vince Tallo
Lou Merlotti
Earl Tippet
Al Dobelman
✓ Ron Krutzman

Re: City of Town and Country - Ordinance No. 942 - Eliminating License Tax (Gross Receipts Tax) On Gas for Residential Purposes - Effective Date: All Normal Established Usage Periods Within The City Beginning On and After January 1, 1986

I have received from the City Clerk of the City of Town and Country, and reviewed the City's Ordinance No. 942, which was approved on November 25, 1985. The ordinance eliminates gross receipts tax on all gas service supplied for residential purposes as defined in the ordinance. From my review, the definition of "residential purposes" was not changed by this newly enacted ordinance so that the effect of this ordinance is to, as previously stated, eliminate the tax on gas service for residential purposes. The gross receipts tax will remain at the current rate of 7% for all other gas service usage other than that for "residential purposes" as defined in the ordinance.

The referenced elimination of the tax on service for residential purposes becomes effective for all normal established usage periods within the city beginning on and after January 1, 1986.

According to an article appearing in the Monday, December 2, 1985, Metrowest edition of the St. Louis Globe Democrat, the elimination of gross receipts tax also applies to water and electric service. Apparently the city does not impose a gross receipts tax on telephone exchange service.


L. J. Bannes

LJB:af
Enclosures - R. L. Krutzman only (correspondence & ordinance)
cc: R. J. Carroll
G. F. Smith

Introduced by Board of Aldermen as a Whole

Bill No. 85-94

Ordinance No. 942

AN ORDINANCE AMENDING ORDINANCE NO. 690, AS CURRENTLY AMENDED,
BY CHANGING THE RATE OF THE LICENSE TAX TO BE PAID BY THOSE
ENGAGED IN THE BUSINESS OF SUPPLYING GAS OR GAS SERVICE FOR
COMPENSATION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TOWN AND
COUNTRY, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 2 of Ordinance No. 690, as currently amended by
Ordinance No. 798, requiring every person engaged in the business of
supplying gas or gas service for compensation to pay a license tax to
the City of Town and Country
is hereby repealed and in lieu thereof the following shall be substituted:

Section 2. Every person now or hereafter engaged in the
business of supplying gas or gas service for compensation for
any purpose within the City of Town and Country shall pay to
the City as a license tax a sum equal to 7% of the gross receipts
derived from supplying gas or gas service for non-residential
purposes. "Supplying gas or gas service for residential purposes"
means supplying gas or gas service to premises used as a
residence (except nursing homes and dormitories) and to accessory
facilities incidental and subordinate thereto. A premises shall
be considered "used" as a residence even though temporarily not
occupied by an individual provided such premises are designed and
intended for such purpose. "Supplying gas or gas service for
non-residential purposes" shall mean supplying gas or gas service
for all purposes other than residential purposes.

Section 2. Except as herein amended, Ordinance No. 690, as amended,
shall continue in full force and effect.

Section 3. This Ordinance shall not be construed so as to relieve any person of the obligations to remit the applicable license tax in effect prior to the effective date of this Ordinance.

Section 4. 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 or 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 5. This Ordinance shall become effective and the tax herein imposed shall be applicable to gas or gas service supplied for all normal established usage periods within the City beginning on and after January 1, 1986.

PASSED AND APPROVED THIS 25th DAY OF November, 1985.



Mayor

Attest:



City Clerk

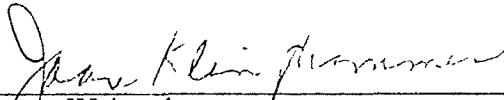
CITY OF
Town and Country

12225 CLAYTON ROAD • ST. LOUIS, MISSOURI 63131 • PHONE 432 6606

I, Joan Klinghammer, Deputy City Clerk for the City of Town and Country, St. Louis County, Missouri, do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 942
passed and approved the 25 the day of November, 1985.

as fully as the same appears on the records in my office.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Town and Country, Missouri, this 26th day of November, 19 85.



Joan Klinghammer
Deputy City Clerk

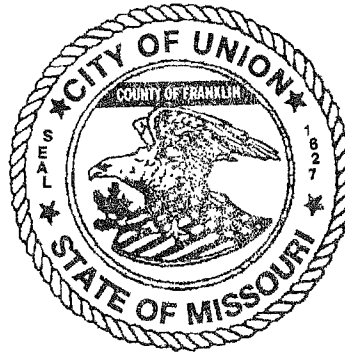
February 24, 2011

STATE OF MISSOURI)
COUNTY OF FRANKLIN)

I, Jonita Copeland, City Clerk, within and for the City of Union, in Franklin County, Missouri, do hereby certify that the following page(s) constitute a full, true and complete copy of ORDINANCE NUMBER 3634 of said City, as passed by the Board of Aldermen on the 14th day of February 2011 and approved by the Mayor on the 14th day of February, 2011.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Union, Missouri, this February 24, 2011.



Jonita Copeland, CMC
City Clerk



Introduced by Alderman Karen Erwin

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 UNION, 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 UNION, 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 Union, 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 Union, 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 Union, 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 Union 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 Union 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 Union, 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 Union, 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. 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 City Clerk according to the terms prescribed herein; subject only to the approval or disapproval of the voters of this City only upon the terms and conditions provided in §88.251 RSMo. (1989). If the City 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 City and shall remain in full force and effect.

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 14th day of February, 2011.

VOTE: Dale Schmuke	<u>YEA</u>	Robert Schmuke	<u>YEA</u>
Karen Erwin	<u>YEA</u>	David Pope	<u>YEA</u>
Paul Arand	<u>YEA</u>	Tammy Stowe	<u>YEA</u>
Bill Isgriggs	<u>YEA</u>	Jim Albrecht	<u>YEA</u>

Mike Luning
Presiding Officer

APPROVED this 14th day of February, 2011

Mike Luning
Presiding Officer

ATTEST.

Jonita Copeland
Jonita Copeland, City Clerk



INTRODUCED BY: Councilmember Jennings

DATE: April 25, 2016

BILL NO. **9285**

ORDINANCE NO. **7011**

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI.

Section 1. The right, permission and authority for a period of twenty (20) years 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, 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 University 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 gas for light, heat, power and other purposes within the City of University 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 Laclede, its successors or assigns, in the City of University 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. 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. Laclede 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 person or property arising from the negligent acts or omissions or mismanagement of Laclede or its subcontractors in the construction, reconstruction, excavation, extension, restoration, placing 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 University City 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 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, 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 right-of-way management costs as determined in accordance with section 67.1840 RSMo. (2011).

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 University 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. (2000).

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 University City, 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 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 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.

PASSED by the City Council of the City of University City, Missouri this 9th day of May, 2016

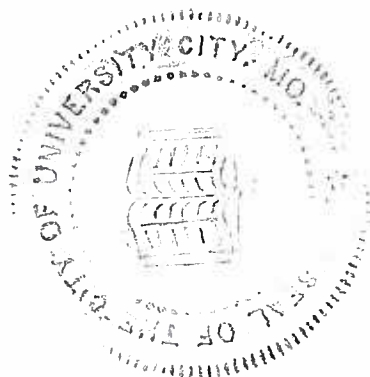


Mayor, City of University City

ATTEST:



City Clerk



CERTIFIED TO BE CORRECT TO FORM:



City Attorney

BILL NO. 1659

ORDINANCE NO. 1537

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 VALLEY PARK, 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 VALLEY PARK, 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 Valley Park, 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 Valley Park, 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 Valley Park, 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 Valley Park, 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 Valley Park, 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.

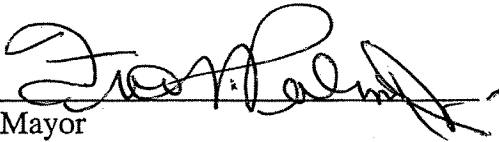
Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

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

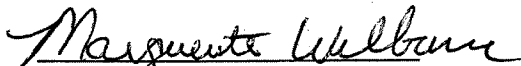
to obtain permits or other approval from the City for the maintenance and repair of its facilities.

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.

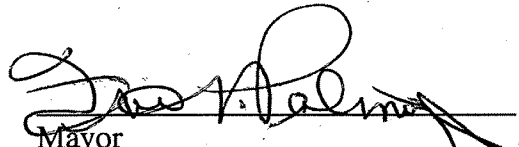
Read three (3) times and passed by the Board of Aldermen of the City of Valley Park, Missouri, this ~~6th~~ day of August, 2001.


Mayor

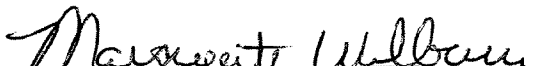
ATTEST:


City Clerk

Approved this 20th day of August, 2001


Mayor

ATTEST:


City Clerk

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

I, Marguerite Wilburn, City Clerk within and for the City of Valley Park in the State and County aforesaid, do hereby certify that:

(1) the foregoing constitutes a full, true and correct copy of Ordinance No. 1537 of said City as:

(a) introduced before the Council on the 16th day of July 2001; and

(b) which remained on file with the undersigned City Clerk for public inspection at least thirty (30) days before the final passage or adoption thereof; and

(c) passed by the Council on the 6th day of August 2001; and

(d) approved by the Mayor on the 20th day of August 2001, as fully as the same appears of record in my office;

(2) I did not receive, within thirty (30) days after the passing of the Franchise Ordinance, a petition sufficient in form and signed by the requisite number of voters as set forth in §88.251 RSMo. (1989).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Valley Park Missouri, at my office in said City this 10th day of October 2001.

(SEAL)

Marguerite Wilburn
City Clerk

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

I, Marguerite Wilburn, City Clerk within and for the City of Valley Park in the State and County aforesaid, do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 1537 of said City as passed by the Board of Aldermen and approved by the Mayor on the 20th day of August, 2001.


City Clerk

(SEAL)

AN ORDINANCE LEVYING A LICENSE OR OCCUPATIONAL TAX UPON ALL PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING GAS, NATURAL OR MANUFACTURED, FOR COMPENSATION, FOR ANY PURPOSE IN THE CITY OF VELDA VILLAGE, ST. LOUIS COUNTY, MISSOURI; PROVIDING FOR THE FILING OF QUARTERLY REPORTS BY SAID PERSONS, FIRMS OR CORPORATIONS; PAYMENT OF SAID TAX; PROVIDING A PENALTY FOR THE VIOLATION HEREOF.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF VELDA VILLAGE, ST. LOUIS COUNTY, MISSOURI, as follows:

Section I: Every person, firm or corporation now or hereafter engaged in the business of supplying or furnishing gas, natural or manufactured, service in the City of Velda Village, shall pay to the said City as a license or occupational tax Six percent (6%) of the gross receipts derived from such business within the City. The term "gross receipts" as used herein means the aggregate amount of all sales and charges derived from the business of supplying or furnishing gas, natural or manufactured, within the City of Velda Village during any period less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during the period.

Section II: Every person, firm or corporation engaged in the business hereinbefore set forth in the City of Velda Village, is hereby required to file with City Clerk of the City of Velda Village, on or before the last day of July, 1974, 1974, a sworn statement showing the gross receipts derived from the transaction of such business in the City of Velda Village, from the effective date of this Ordinance, and on or before the last day of October, January, April and July of each year thereafter, showing the gross receipts derived from such business for the three months immediately preceding the date of the statement, and at the same time pay to the Collector of the City of Velda Village the tax hereinbefore set forth, provided, however, that it shall not be necessary to include in such statement nor calculate the tax upon any receipts derived from any such service furnished the City or any other governmental unit therein.

Section III: The Board of Aldermen, or such person authorized by them, shall be 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 business hours to the books, documents, papers and records of any person making such return in order to ascertain the accuracy thereof.

Section IV: Any person, firm or corporation engaged in the business hereinbefore set forth within the City of Velda Village, making any payment to the City under any Ordinance or contract pursuant thereto heretofore enacted shall receive credit for such payments on the tax set forth herein.

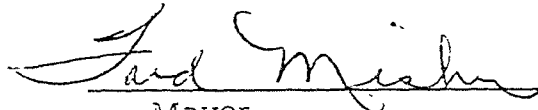
Section V: Nothing contained in this Ordinance shall be so construed as to exempt any person, firm or corporation to which this Ordinance is applicable from the payment to the City of Velda Village of the tax which the City of Velda Village levies upon the real or personal property belonging to any such person, firm or corporation.

Section VI: Nothing herein contained shall be construed as giving to any person, firm or corporation any exclusive privileges, nor shall it affect any prior or existing rights of any person, firm or corporation to maintain gas supply lines and service within the City of Velda Village.

Section VII: Any person, firm or corporation engaged in the business to which this Ordinance applies who shall violate any of the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not exceeding Five Hundred Dollars (\$500.00) for each such offense, and each day such violation continues shall be deemed a separate offense.

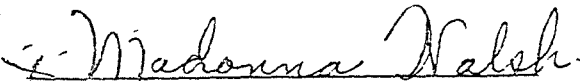
Section VIII: This ordinance shall be in full force and effect from and after the first day of _____, 1974.

PASSED and APPROVED this 6th day of June, 1974.

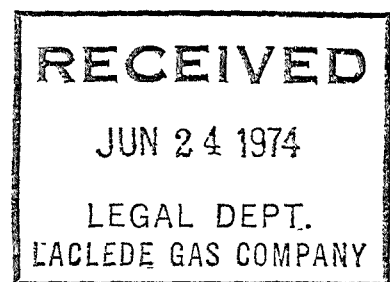


Mayor

ATTEST:



City Clerk





April 23, 2018

Ms. Christina Wickenhauser, Tax Accountant
Spire Energy
700 Market Street
St. Louis, MO 63101

Dear Mr. Wickenhauser:

On April 3, 2018, Proposition U was passed by the majority of the voters of the City of Vinita Park, allowing the City to increase its Public Utilities Business License Tax to 7 ½ percent for non-residential customers.

As a result of the passage of Proposition U, the City of Vinita Park Board of Aldermen has adopted Ordinance 1350 which increases the Public Utilities Business License Tax to 7 ½ percent for all non-residential customers. A copy of the Ordinance 1350 is attached for your information.

The public utility business license tax rates for non-residential customers effective immediately for each utility are listed below:

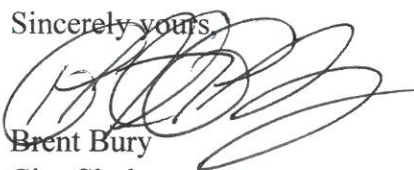
- Electric – 7.5%
- Gas – 7.5%
- Telephone – 7.5%
- Water – 7.5%

Effective immediately you must increase all public utility business license taxes for non-residential customers in the City of Vinita Park to 7 ½ percent. Please note that this is for **non-residential customers only and does not impact residential customers. The public utility business license tax for residential customers remains the same.**

A copy of the April 3, 2018 election certification is attached for your reference.

If you have any questions or concerns please contact me at 314-428-7373 extension 102.

Sincerely yours,


Brent Bury
City Clerk

AN ORDINANCE REPEALING SECTION 615.020, SECTION 615.025, AND SECTION 615.100 OF THE CODE OF ORDINANCES OF THE CITY OF VINITA PARK RELATING TO THE TAX IMPOSED ON BUSINESSES SUPPLYING ELECTRICITY, GAS, WATER, AND/OR TELEPHONE SERVICES AND ENACTING IN LIEU THEREOF NEW SECTIONS 615.020, 615.025, AND 615.100 RELATING TO THE SAME SUBJECT.

WHEREAS, on April 3, 2018 the residents of the City of Vinita Park by a majority vote approved an increase to seven and one-half percent (7.5) of the public utilities business license tax or occupation tax for nonresidential customers

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

Section 1: Section 615.020 of the Code of Ordinances of the City of Vinita Park be amended by repealing Section 615.020 in its entirety and enacting in lieu thereof a new Section 615.020, which shall read as follows:

615.020 License Tax Required.

- A. A license tax of seven and one-half percent (7.5%) is imposed on the gross receipts of companies engaged in the business of supplying or furnishing electricity, electrical power, electrical service, gas, gas service, or water or water service to nonresidential customers.
- B. A license tax of five percent (5%) is imposed on the gross receipts of companies engaged in the business of supplying or furnishing gas or gas service or water or water service to residential customers.
- C. A license tax of four and one-half percent (4.5%) is imposed on the gross receipts of companies engaged in the business of supplying electricity, electrical power, or electrical service to residential customers.

Section 2: Section 615.025 of the Code of Ordinances of the City of Vinita Park be amended by repealing Section 615.025 in its entirety and enacting in lieu thereof a new Section 615.025, which shall read as follows:

615.025 Tax to Be Maintained

Pursuant to § 393.275 R.S.Mo. and any successive similar legislation, the Board of Aldermen reaffirms that it will maintain the tax rate of its business license tax on the gross receipts of utility corporations as provided herein, without reduction,

regardless of the amount of any tariff increase. Therefore, the rates for business license taxes set forth in this chapter shall be maintained, without reduction, regardless of the amount of any tariff increase.

Section 3: Section 615.100 of the Code of Ordinances of the City of Vinita Park be amended by repealing Section 615.100 in its entirety and enacting in lieu thereof a new Section 615.100, which shall read as follows:


615.100 Tax Levied.

- A. Every person now or hereafter engaged in the business of selling telephone, telecommunication services, or telegraph service to nonresidential customers shall pay to the City, as a license or occupation tax, seven and one-half percent (7.5%) of the gross receipts from such business in the City.
- B. Every person now or hereafter engaged in the business of selling telephone, telecommunication, or telegraph service to residential customers shall pay to the City, as a license or occupation tax, five percent (5%) of the gross receipts from such business in the City.

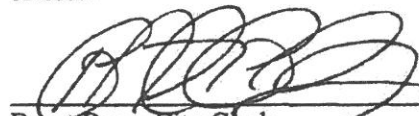
Section 4: Should any section or provision of this ordinance be declared by a court of competent jurisdiction or otherwise to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF VINITA PARK, MISSOURI, THIS 16th DAY OF APRIL 2018.


James W. McGee, Mayor

Attest:


Brent Bury, City Clerk

CITY OF VINITA PARK
 GENERAL MUNICIPAL ELECTION
 ST. LOUIS COUNTY, MISSOURI
 TUESDAY, APRIL 3, 2018
 OFFICIAL FINAL RESULTS

RUN DATE: 04/16/18 07:20 PM

	TOTAL PERCENT			TOTAL ST. LOUIS COUNTY			TOTAL PERCENT		
	01	02	03	01	02	03	01	02	03
01 = REGISTERED VOTERS - TOTAL ST. LOUIS CO	1,236			1,236			33.96		
02 = BALLOTS CAST - TOTAL ST. LOUIS COUNTY	420			420					
03 = VOTER TURNOUT - TOTAL ST. LOUIS COUNTY									
1710 MID10	126	55	43.65						
1718 MID18	299	131	43.81						
1720 MID20, 60	24	8	33.33						
1725 MID25	45	14	31.11						
1730 MID30, 32	286	84	29.37						
1738 MID38	50	20	40.00						
1755 MID55	213	47	22.07						
2703 UNV3	193	61	31.61						

MAYOR VINITA PARK			VOTES PERCENT			VOTES PERCENT		
(Vote for) 1			271 65.14			0		
01 = GERALD B. FRENCH, SR.			145 34.86			03 = INVALID WRITE-IN		
02 = BRIAN JOSEPH GREMAUD								
1710 MID10	27	28	0					
1718 MID18	69	60	0					
1720 MID20, 60	8	0	0					
1725 MID25	6	8	0					
1730 MID30, 32	61	22	0					
1738 MID38	18	2	0					
1755 MID55	44	3	0					
2703 UNV3	38	22	0					

COLLECTOR VINITA PARK			VOTES PERCENT			VOTES PERCENT		
(Vote for) 1			326 97.31			9 2.69		
01 = JEANETTE BLANKS CARRIDINE			9 <th colspan="3">03 = INVALID WRITE-IN</th>			03 = INVALID WRITE-IN		
02 = INVALID WRITE-IN								
1710 MID10	40	2						
1718 MID18	100	6						
1720 MID20, 60	8	0						
1725 MID25	12	0						
1730 MID30, 32	69	1						
1738 MID38	14	0						
1755 MID55	34	0						
2703 UNV3	49	0						

ALDERPERSON VINITA PARK WARD 1			VOTES PERCENT			VOTES PERCENT		
(Vote for) 1			114 97.44			3 2.56		
01 = RICH REDEL			3 <th colspan="3">03 = INVALID WRITE-IN</th>			03 = INVALID WRITE-IN		
02 = INVALID WRITE-IN								
1718 MID18	114	3						

ALDERPERSON VINITA PARK WARD 2			VOTES PERCENT			VOTES PERCENT		
(Vote for) 1			87 75.00			29 25.00		
01 = ORA M. STOKES			29 <th colspan="3">03 = INVALID WRITE-IN</th>			03 = INVALID WRITE-IN		
02 = HARVEY LINDSEY								

-----01 02 03-----
 1725 MID25 4 10 0
 1730 MID30,32 68 14 0
 1738 MID38 15 5 0
 =====

ALDERPERSON VINITA PARK WARD 3
 (Vote for) 1
 01 = CELESTE MCGEE 73 67.59
 02 = RODERICK HERRON, SR. 35 32.41 03 = INVALID WRITE-IN 0

VOTES PERCENT
 73 67.59
 35 32.41 03 = INVALID WRITE-IN 0

VOTES PERCENT
 0

-----01 02 03-----
 1710 MID10 30 23 0
 1720 MID20, 60 7 1 0
 1755 MID55 36 11 0
 =====

ALDERPERSON VINITA PARK WARD 4
 ** (FOUR YEAR MOST VOTES/THREE YEAR NEXT MOST VOTES)**
 (Vote for) 2
 01 = DIANNE BRYANT-MILLER 27 29.35 03 = WILLARD D. MAYTUBBY 23 25.00
 02 = JOHN R. PHILLIPS, II 41 44.57 04 = INVALID WRITE-IN 1 1.09

VOTES PERCENT
 27 29.35 03 = WILLARD D. MAYTUBBY 23 25.00
 41 44.57 04 = INVALID WRITE-IN 1 1.09

VOTES PERCENT
 23 25.00
 1 1.09

-----01 02 03 04-----
 2703 UNV3 27 41 23 1
 =====

VINITA PARK - PROPOSITION U
 ** (BUSINESS LICENSE TAX - UTILITIES)**
 (Vote for) 1
 01 = YES 232 57.14
 02 = NO 174 42.86

VOTES PERCENT
 232 57.14
 174 42.86

-----01 02-----
 1710 MID10 22 33
 1718 MID18 73 52
 1720 MID20,60 4 4
 1725 MID25 10 4
 1730 MID30,32 50 32
 1738 MID38 8 11
 1755 MID55 27 15
 2703 UNV3 38 23
 =====

WE, THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY, MISSOURI, ACTING AS THE VERIFICATION BOARD PURSUANT TO SECTION 115.507,RSMO, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF VOTES CAST FOR THE CANDIDATES AND ISSUES AT THE MUNICIPAL GENERAL ELECTION HELD IN ST. LOUIS COUNTY, MISSOURI, ON APRIL 3, 2018. IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR HAND AT OUR OFFICE IN ST. ANN, ST. LOUIS COUNTY, MISSOURI, ON APRIL 17, 2018.

Sharon Buchanan McCullure Sharon Buchanan McCullure, CHAIR
Matthew W. Potter Matthew W. Potter, COMMISSIONER
Peggy Barnhart Peggy Barnhart, COMMISSIONER

-----TRUDI MCCOLLUM FOLSHEE, SECRETARY-----
 -----PEGGY BARNHART, COMMISSIONER-----



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, EXTEND AND MAINTAIN 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 VINITA PARK, 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 BOARD OF ALDERMEN OF THE CITY OF VINITA PARK, 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, 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 Vinita Park, 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 Vinita Park, 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 Vinita Park, 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. Laclede shall hold said City 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 Vinita Park 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 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 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 Vinita Park, 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 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 Vinita Park, 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-

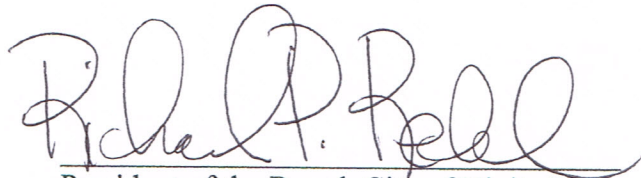
compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 6 of this ordinance, and each and every compliance with the provisions of this ordinance or with any 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 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.

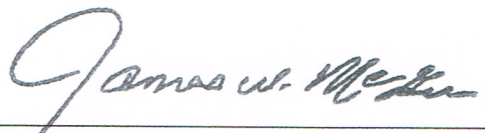
Section 10. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Passed this 16 day of December, 2013.



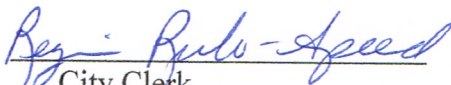
President of the Board, City of Vinita Park

Signed and approved this 16 day of December, 2013.

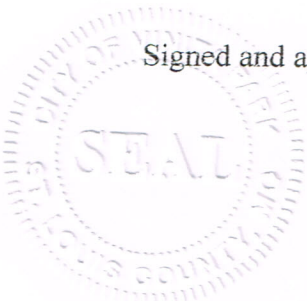


Mayor, City of Vinita Park

ATTEST:



City Clerk





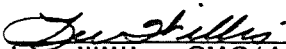
City of Warson Woods

10057 MANCHESTER ROAD / WARSON WOODS, MISSOURI 63122-1825 / 314-965-3100

I, Lee Willis, City Clerk of the City of Warson Woods, do hereby certify that the foregoing is a true copy of Ordinance No. 980 of said City, passed and approved by the Board of Aldermen on the 20th day of October, 1992, as fully as the same appears in my office in permanent records.

I further certify that said records are compiled and published by me under authority of the City of Warson Woods; that I am the duly appointed custodian of said records, and of the Seal of the City of Warson Woods.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Warson Woods, St. Louis County, Missouri, in my office, this 22nd day of October, 1992.



Lee Willis, CMC/AAE
City Clerk
City of Warson Woods, Missouri

BILL NO. 1007

ORDINANCE NO. 980

INTRODUCED BY: Alderman Rull

AN ORDINANCE TO MAINTAIN THE TAX RATE ON GROSS RECEIPTS ON SUPPLYING NATURAL GAS WITHIN THE CITY OF WARSON WOODS AT NINE PER CENT (9%) OF GROSS RECEIPTS PURSUANT TO SECTION 393.275. 2. RSMO.

WHEREAS, Section 645.020 of the Municipal Code of the City of Warson Woods, Missouri, provides that suppliers of gas or gas service shall pay to the City, as a license or occupation tax, nine per cent (9%) 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 Warson Woods was notified of a tariff increase approved for Laclede Gas Company by the Missouri Public Service Commission on August 27, 1992, and

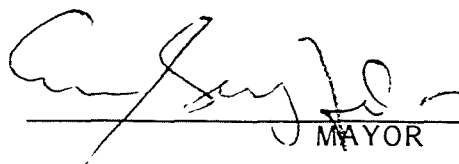
WHEREAS, the Board of Aldermen has determined it is in the best interest of the City of Warson Woods to maintain the current tax rate on gross receipts for natural gas service as authorized by Section 393.275. 2. RSMo.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, ST. LOUIS COUNTY, 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 Warson Woods shall be maintained as directed by Section 645.020 of the Municipal Code of the City of Warson Woods, Missouri.

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

PASSED AND APPROVED THIS 20th DAY OF October, 1992.



MAYOR

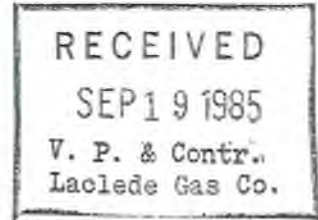


City of Warson Woods

10057 MANCHESTER ROAD / WARSON WOODS, MISSOURI 63122 / 965-3100

RJC

These go to Baum
with copy to Tax



September 18, 1985

Mr. Glenn F. Smith, Controller
Laclede Gas Co.
720 Olive Street
St. Louis, MO. 63101

Dear Sir:

Enclosed please find a certified copy of Ordinance No. 604, that was passed by the Board of Aldermen and approved by the Mayor at their meeting on September 17, 1985.

Ordinance 604 repeals Ordinance No. 581 that suspended collection of a portion of the gross receipts license tax for the period of one year ending September 30, 1985, and reduces the original rate from ten percent (10%) to nine percent (9%).

If you have any questions, do not hesitate to contact me.

Yours truly,

Martha L. Maulhardt, CMC
City Clerk

MLM
Enclosure

AN ORDINANCE AMENDING CHAPTER 645: "NATURAL AND ARTIFICIAL GAS SERVICE" OF THE MUNICIPAL CODE OF THE CITY OF WARSON WOODS, BEING AN ORDINANCE PROVIDING FOR THE LICENSE TAX TO BE PAID BY GAS UTILITIES ENGAGED IN THE BUSINESS OF SUPPLYING OR FURNISHING GAS OR GAS SERVICE IN THE CITY OF WARSON WOODS, ST. LOUIS COUNTY, MISSOURI.

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

SECTION 1. Chapter 645: "Natural and Artificial Gas Service" is hereby amended by the deletion of Section 645.020 in its entirety.

SECTION 2. Chapter 645: "Natural and Artificial Gas Service" is further amended by the addition of a new Section 645.020 to read as follows:

"Section 645.020: License Tax-Percentage of Gross Receipts.

Every natural and artificial gas service in the City of Warson Woods shall pay to the Collector a monthly license fee, on or before the last day of each for the preceding month, the rate being nine percent (9%) of the gross receipts derived from the transaction of such business in the City for each monthly period.

The term "natural and artificial gas service" as used in this section, 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 natural and artificial gas service in the City of Warson Woods, St. Louis County, Missouri."

SECTION 3. Chapter 645: "Natural and Artificial Gas Service" is further amended by the deletion of Section 645.021 in its entirety.

SECTION 4. Section 645.030 "Statment of Gross Receipts" is hereby amended by striking the words "ten percent (10%) as set forth in line 15 of said section, after the words "the rate being" and by the substitution in lieu thereof of the words "nine percent (9%)". Said section shall now read as follows:

"Section 645.030: Statement of Gross Receipts - License Tax

All such persons, firms, companies or corporations described in Section 645.020 hereof shall file with the City Clerk of the City of Warson Woods on the 15th day of February and 15th day of August of each year a verified statement of the gross receipts of such person, firm, company or corporation derived from the transaction of such business in the City of Warson Woods for each preceding semi-annual calendar period beginning respectively on the first day of January and July of each year and ending respectively on the last days of June and December of each such year; provided that effective October 1, 1985, every supplier and furnisher of natural and artificial gas in the City of Warson Woods shall pay to the Collector a monthly license fee on or before the last day of each month for the preceding month, with the first payment due and payable on or before November 30, 1985, the rate being nine percent (9%) of the gross receipts derived from the transaction of such business in the City for each monthly period."

SECTION 5. All other terms, conditions, sections and provisions of Chapter 645 are in full force and effect.

SECTION 6. If any section, subsection, sentence, clause, phrase, portion or provision of this ordinance is for reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

PASSED AND APPROVED THIS 17th DAY OF September, 1985.



MAYOR

ATTEST:



CITY CLERK

I, Martha L. Maulhardt, being the duly appointed Clerk of the City of Warson Woods, St. Louis County, Missouri, do hereby certify that Ordinance NO. 604 is a true and exact copy as passed by the Board of Aldermen and approved by the Mayor on the date duly recorded above.

Signed this 17th day of September, 1985.



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 CITY OF WASHINGTON, 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 COUNCIL OF THE CITY OF WASHINGTON, 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 Washington, 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 Washington, 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 Washington, 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 Washington 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 Washington 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 Washington, 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 Washington, 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. 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 City Clerk according to the terms prescribed herein; subject only to the approval or disapproval of the voters of this City only upon the terms and conditions provided in §88.251 RSMo. (1989). If the City 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 City and shall remain in full force and effect.

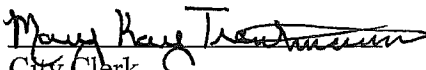
Section 11. As consideration for the rights and privileges conferred by this ordinance, Missouri Natural shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Duly read and passed this 7th day of March, 2011.



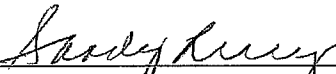
President of City Council

ATTEST:


Deputy City Clerk

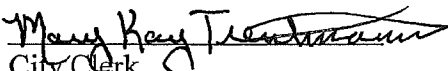


Approved this 7th day of MARCH, 2011.



Mayor of Washington, MO

ATTEST:


Deputy City Clerk

BILL # 8847

ORDINANCE # 8847

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, EXTEND AND MAINTAIN 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 WEBSTER GROVES, MISSOURI, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH THE CITY OF WEBSTER GROVES, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH.

WHEREAS, the for many years, the City has allowed the Laclede Gas Company to provide natural gas service to customers within the City; and

WHEREAS, the City Council has determined it to be in the best interests of the general welfare of the residents of the City to continue to allow Laclede Gas Company to have a franchise to provide gas service within the City of Webster Groves upon certain terms and conditions;

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

Section 1. The non-exclusive 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, 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 (collectively herein after "Mains and Appurtenances") 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 Webster Groves, as now fixed and within any future extensions of the City's boundaries, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of Webster Groves, 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 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 Webster Groves, 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 in keeping with the City's codes related to streets, sidewalks and rights of way, provided that such codes are not in conflict with State statutes or controlling 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 with such State laws, unless otherwise mutually agreed in writing by the City and Laclede (or its successors and assigns). All restoration work within the public right of way shall be to then current City standards and shall be promptly completed after the construction, maintenance, repair or extension work is completed, and in no event more than 30 days after such work is completed, weather permitting, unless extended in writing by the Director of Public Works of the City, which shall not be unreasonably withheld due to weather or other events of force majeure beyond the control of Laclede. 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. Laclede shall hold said City harmless from all liability, including injury or damage to person or property arising from the negligence, mismanagement or intentional acts 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 Webster Groves 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 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 provided for by applicable City ordinances, as the same may be amended from time to time. In the event the City shall adopt, amend or increase rights of way management fees, the gross receipts

taxes paid by Laclede shall be an offset against such fees and, in no event, shall such fees exceed the amount of the gross receipts taxes paid; provided, however, that this provision shall not apply to relocation costs, which are controlled by Section 2 of this Franchise Agreement, or to excavation permit fees for Mains and Appurtenances, or any part of them, so long as such permit fees do not exceed the reasonable permit issuance 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 Webster Groves, 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., as amended.

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, or the City 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 Webster Groves, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in the City, be treated as a 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, or the City 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 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 or extension, maintenance or repair of Mains and Appurtenances within the rights of way thereof, including the reasonable issuance cost for permits to excavate within the City's rights of way and the necessary inspections included in the costs of such permits.

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 and approved this 1st day of July, 2014.



Mayor, City of Webster Groves

ATTEST:


City Clerk

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO LACLEDE GAS COMPANY (SUCCESSOR IN INTEREST TO ST. CHARLES GAS COMPANY), A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, EXTEND, MAINTAIN AND OPERATE, 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 VILLAGE OF WELDON SPRING HEIGHTS 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 VILLAGE, 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 BOARD OF TRUSTEES OF THE VILLAGE OF WELDON SPRING 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, extend, maintain and operate 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 Village of Weldon Spring Heights, as now fixed and within any future extensions of its limits 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 Weldon Spring Heights, 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 Laclede, its successors or assigns, in the Village of Weldon Spring 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. The financial responsibility for relocations of the Company's facilities within the Village'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 Village any rights inconsistent therewith. The Village 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 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 right-of-way management costs

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 Village of Weldon Spring Heights, 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 Laclede shall hold said Village of Weldon Springs Heights harmless from all liability imposed upon it on account of injury or damages to person or property caused by Laclede in the course of or in connection with any construction, reconstruction, excavation, extension, 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 Village of Weldon Spring Heights in the exercise of any of the rights and privileges conferred by this ordinance.

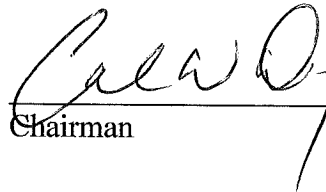
Section 7 Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any way impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the Village of Weldon Spring Heights, as authorized by this ordinance or service rendered by Laclede, 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 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

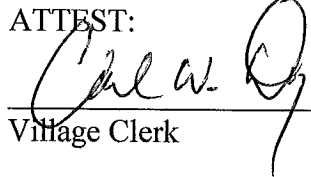
Section 8 All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the Village or enacted in the future requiring Laclede to obtain written permits or other approval from the Village 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 Village for the maintenance and repair of its facilities.

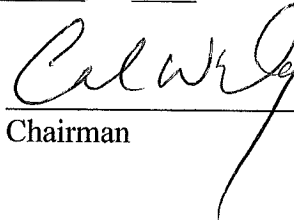
Section 10 If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

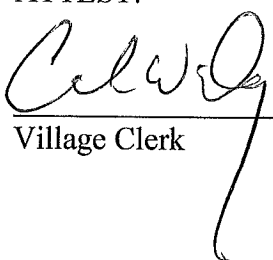
Read three (3) times and passed by the Board of Trustees of the Village of Weldon Spring Heights, Missouri, this 7 day of September, 2013.


Chairman

ATTEST:

Village Clerk

Approved this 7 day of September, 2013.


Chairman

ATTEST:

Village Clerk

DPA

**BILL NO. 481
ORDINANCE NO. 97-24**

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO ST. CHARLES GAS COMPANY, A DIVISION OF 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 WELDON SPRING, 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, AND PROVIDING FOR A FIVE PERCENT (5%) FRANCHISE CHARGE UPON THE GROSS RECEIPTS OF GAS DELIVERED BY THE ST. CHARLES GAS COMPANY WITHIN THE CORPORATE LIMITS OF THE CITY.

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

Section 1. The right, permission and authority is hereby granted to, and vested in St. Charles Gas Company, a division of Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "St. Charles Gas"), 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 Weldon Spring hereinafter called "City," 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 Weldon Spring, 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 St. Charles Gas, its successors or assigns, in the City of Weldon Spring, shall be made in accordance with the rules and regulations governing such extensions and additions by St. Charles Gas 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 St. Charles Gas, 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 St. Charles Gas, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon St. Charles Gas shall devolve and be binding upon its successors and assigns, successively, in the same manner, and the ordinances of the City of Weldon Spring.

Section 4. As consideration for the rights and privileges conferred by this ordinance, St. Charles Gas shall pay to said municipality on or before the last day of each calendar month during the term of this franchise, an amount equal to five percent (5%) of its gross receipts from sales of gas or gas service from each customer for the preceding calendar month; subject, however, to a maximum monthly charge of \$5.00 per residential customer, hereinafter referred to as the Maximum Monthly Residential Charge. The Maximum Monthly Residential Charge may be adjusted (the "Adjustment") from time to time during the term of the franchise by City ordinance adopted:

- (1) within sixty (60) days after the first anniversary date of the effective date of this ordinance; and
- (2) thereafter within sixty (60) days after every succeeding second anniversary date of the effective date of this ordinance; provided, however, that any such Adjustment shall not become effective until the first day of the second calendar month after its adoption.

All payments made hereunder will be reduced by the total of payments made by St. Charles Gas for the applicable periods of time or portions thereof on account of any tax levied or imposed by said City upon the business of providing gas or gas service, or upon the proceeds of sales of gas or gas service or upon the right or privilege of engaging in such business within said corporate limits, 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 the City Sales Tax Act.

The first franchise payment shall be due on or before the last day of the second calendar month after the effective date of this ordinance calculated on gross receipts for

the preceding calendar month. With each franchise payment hereunder, St. Charles Gas shall file with the City Clerk of said City 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 hereinabove in this section enumerated. The term "gross receipts" means the aggregate amount of all sales and charges from the business of supplying gas or gas service made by St. Charles Gas in said municipality during any period less discounts, credits, refunds, sales taxes and uncollectible accounts. Gross receipts derived from the furnishing of such service to the City shall not be included in gross receipts nor shall the franchise payment be due on such gross receipts.

Section 5. St. Charles Gas shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of Weldon Spring, 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 S88.251 RSMO (Supp. 1996); subject only to the approval or disapproval of the voters of Weldon Spring only upon the terms and conditions as provided in said S88.251. If the City 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 City and shall remain in full force and effect.

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 St. Charles Gas, its successors or assigns, may have independently of this ordinance; nor shall any use by St. Charles Gas, its successors or assigns, of public property or places in the City of Weldon Spring, as authorized by this ordinance or service rendered by St. Charles Gas, 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 St. Charles Gas, 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.

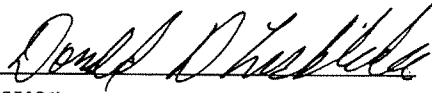
Section 7. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

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

construction of facilities within the streets thereof, except St. Charles Gas 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 two (2) times and passed by the Board of Aldermen of the City of Weldon Spring, Missouri, this twenty-eighth day of August, 1997.



Mayor

ATTEST:




City Clerk

Approved this twenty-eighth day of August, 1997.



Mayor

ATTEST:



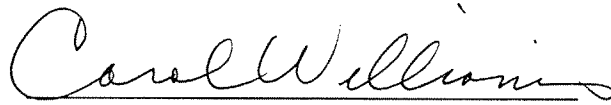
City Clerk

STATE OF MISSOURI,

Ss

COUNTY OF ST. CHARLES)

I, Carol Williams, City Clerk within and for the City of Weldon Spring in the State and County aforesaid, do hereby certify that the foregoing constitutes a fully, true and correct copy of Ordinance No. 97-24 of said City as passed by the Board of Aldermen and approved by the Mayor on the third day of October, 1997.


City Clerk

(SEAL)

STATE OF MISSOURI)
) SS
COUNTY OF ST LOUIS)

IN THE CITY COUNCIL OF THE CITY OF WELLSTON
STATE OF MISSOURI

INTRODUCED BY Councilperson Helen Jackson

BILL NO 2071

ORDINANCE NO 2001

AN ORDINANCE CALLING AND PROVIDING FOR THE HOLDING OF AN ELECTION WITHIN AND FOR THE CITY OF WELLSTON, MISSOURI TO BE HELD ON TUESDAY, THE 4TH DAY OF NOVEMBER 2008, FOR THE PURPOSE OF SUBMITTING TO AND TESTING THE SENSE OF THE QUALIFIED VOTERS OF THE CITY OF WELLSTON, ON THE QUESTION OF INCREASING CERTAIN GROSS RECEIPTS AND BUSINESS AND OCCUPATIONAL LICENSE AND PERMIT FEES AND TAXES OF THE CITY OF WELLSTON, IN COMPLIANCE WITH STATE LAW, PRESCRIBING THE FORM OF BALLOT TO BE USED, SETTING OUT THE FORM OF NOTICE OF SAID ELECTION AND DIRECTING ITS PUBLICATION.

WHEREAS, Section 94.110 RSMo (2007), as amended, authorizes third class cities such as the City of Wellston, Missouri to impose a gross receipts license or occupational tax, or merchant's license fee on certain persons doing business within such cities, and

WHEREAS, the City Council has determined that the City of Wellston has general revenue needs which can best be addressed by an increase in certain business and occupational license and permit fees and taxes, and

WHEREAS, the said City Council finds there are not sufficient funds available in the City Treasury to provide the level of services desired by the citizens of the City of Wellston, and

WHEREAS, Article X, Section 22 of the Constitution of the State of Missouri requires that voters must approve any increase in taxes, licenses and fees, and

WHEREAS if approved by the voters of the City the increase in certain gross receipts and business and occupational license and permit fees and taxes, shall only apply as provided below

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WELLSTON, MISSOURI, AS FOLLOWS:

SECTION 1. Definitions Capitalized terms used in this Ordinance and not otherwise defined in this Ordinance shall be as defined in the preambles hereto

SECTION 2. Findings Determinations and Declarations The findings, determinations and declarations set forth in the preambles herein and any exhibits attached hereto are incorporated herein by this reference

SECTION 3 Election That at the election to be held in the City of Wellston, on Tuesday the 4th day of Nov^r, 2008, the City Clerk of the City of Wellston, Missouri, is hereby authorized and directed to certify to the Board of Election Commissioners for St. Louis County Missouri for the purpose of submitting to and testing the sense of the qualified voters of said City upon the following propositions.

Proposition Number 1 To increase the gross receipts tax as described in Section 13-72 of the Code of Ordinances of the City of Wellston Missouri from five (5) percent of the gross receipts to seven (7) percent of the gross receipts of every person engaged in the business of selling, distributing, and supplying natural artificial or mixed natural and artificial gas for heating, lighting, power and refrigeration in the city

Proposition Number 2 To increase the gross receipts tax as described in Section 13-91 of the Code of Ordinances of the City of Wellston Missouri from five (5) percent of the gross receipts to seven (7) percent of the gross receipts of every person engaged in the business of

selling, distributing and supplying electricity electrical power or electrical service for compensation in the city

Proposition Number 3 To increase the gross receipts tax as described in Section 13-111 of the Code of Ordinances of the City of Wellston, Missouri from five (5) percent of the gross receipts to seven (7) percent of the gross receipts of every person engaged in the business of furnishing water service in the city

Proposition Number 4 To increase the gross receipts tax as described in Section 13-131 of the Code of Ordinances of the City of Wellston, Missouri from five (5) percent of the gross receipts to seven (7) percent of the gross receipts of every person engaged in the business of furnishing exchange telephone service in the city

Proposition Number 5 To increase the gross receipts tax as described in Section 13-151 of the Code of Ordinances of the City of Wellston, Missouri from five (5) percent of the gross receipts to seven (7) percent of the gross receipts of every person engaged in the business of supplying or furnishing telegraph service in the city

Proposition Number 6 To increase the business and occupational license fee for merchants businesses as described in Section 13-234 of the Code of Ordinances of the City of Wellston, Missouri from \$2 00 on each \$1 000 00 or fractional part thereof on all gross sales with a minimum fee of \$75 00 regardless of the amount of gross sales to \$3 00 on each \$1,000 00 or fractional part thereof on all gross sales provided however that in no case shall the merchant's license tax be less than \$100 00 regardless of the amount of gross sales

The ballots used in said election will be in substantially the following form

PROPOSITION NUMBER 1

Shall the gross receipts tax described in Section 13-72 of the Code of Ordinances of the City of Wellston, Missouri for every person engaged in the business of selling, distributing, and supplying natural, artificial or mixed natural and artificial gas for heating, lighting, power and refrigeration in the city be increased from five (5) percent of the gross receipts to seven (7) percent of the gross receipts?

() YES

() NO

(Place an "X" in the square opposite the one for which you wish to vote)

PROPOSITION NUMBER 2

Shall the gross receipts tax described in Section 13-91 of the Code of Ordinances of the City of Wellston, Missouri for every person engaged in the business of selling, distributing, and supplying electricity, electrical power or electrical service for compensation in the city be increased from five (5) percent of the gross receipts to seven (7) percent of the gross receipts?

() YES

() NO

(Place an "X" in the square opposite the one for which you wish to vote)

PROPOSITION NUMBER 3

Shall the gross receipts tax described in Section 13-111 of the Code of Ordinances of the City of Wellston, Missouri for every person engaged in the business of furnishing water service in the city be increased from five (5) percent of the gross receipts to seven (7) percent of the gross receipts?

() YES

() NO

(Place an "X" in the square opposite the one for which you wish to vote)

PROPOSITION NUMBER 4

Shall the gross receipts tax described in Section 13-131 of the Code of Ordinances of the City of Wellston, Missouri for every person engaged in the business of furnishing exchange telephone service in the city be increased from five (5) percent of the gross receipts to seven (7) percent of the gross receipts?

() YES

() NO

(Place an "X" in the square opposite the one for which you wish to vote)

PROPOSITION NUMBER 5

Shall the gross receipts tax described in Section 13-151 of the Code of Ordinances of the City of Wellston, Missouri for every person engaged in the business of supplying or furnishing telegraph service in the city be increased from five (5) percent of the gross receipts to seven (7) percent of the gross receipts?

() YES

() NO

(Place an "X" in the square opposite the one for which you wish to vote)

PROPOSITION NUMBER 6

Shall the business and occupational license fee of the City of Wellston, Missouri described in Section 13-234 of the Code of Ordinances of the City of Wellston, Missouri for merchants businesses be increased from \$2 00 on each \$1,000 00 or fractional part thereof on all gross sales with a minimum fee of \$75 00 regardless of the amount of gross sales as described in Section 13-234 be increased to \$3 00 on each \$1,000 00 or fractional part thereof on all gross sales, provided, however that in no case shall the merchant's license tax be less than \$90 00 regardless of the amount of gross sales?

() YES

() NO

(Place an "X" in the square opposite the one for which you wish to vote)

The polling places for said election shall be designated as shall be required for said election by the Board of Election Commissioners of the County of St. Louis, Missouri

The polls at said election shall be open at the polling place(s) from the hour of 6 00 o'clock a m until the hour of 7 00 o'clock p m on **Nov. 4, 2008**

SECTION 4. Results That the said election shall be held and conducted and the result thereof canvassed and certified in all aspects by the Board of Election Commissioners of St. Louis County in accordance with the laws of the State of Missouri

SECTION 5. Repeal That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they shall conflict with the provisions of this ordinance

SECTION 6. Effective Date That subject to voter approval as herein before provided this ordinance shall be in full force and effect from and after its passage and approval according

to law

SECTION 7. Superseding Clause This Ordinance hereby expressly supersedes all prior Ordinances and/or Resolutions which may be contrary to, or inconsistent with, its terms

SECTION 8. Further Action The Mayor, members of the City Council and the other appropriate officers, agents and employees of the City are hereby authorized and directed to take such other and further action, and to execute, deliver and file such other and further contract documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance

SECTION 9. Filing of Ordinance Immediately upon the passage of this Ordinance, a copy hereof shall be filed with the City Clerk for his or her information and guidance

SECTION 10. Severability If any term or provision of this Ordinance or the application thereof for any reason or circumstances shall to any extent be held invalid or unenforceable, the remaining provisions or the application of such terms or provision to persons in situations other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision hereof and thereof shall be valid and enforced to the fullest extent permitted by law

PASSED THIS 20th day of August, 2008

Frank McManis

APPROVED THIS 20th day of August, 2008

Frank McManis

ATTEST:

Janice Trigg
City Clerk

(SEAL)

I hereby certify that the foregoing Ordinance No. 2001 was enacted on the 20th day of August, 2008 by the City Council of the City of Wellston, Missouri, and further approved on said date by the Mayor of the City of Wellston, Missouri.

(SEAL)

Janice Trigg
City Clerk
8/20/08
Date

NUMBERED KEY CANVASS

GENERAL ELECTION
ST. LOUIS COUNTY, MISSOURI
TUESDAY, NOVEMBER 4, 2008

OFFICIAL FINAL RESULTS

RUN DATE 11/18/08 02:35 PM

WITH 2 OF 2 PRECINCTS REPORTING

VOTES PERCENT

WELLSTON - PROPOSITION 1
ARTIFICIAL OR NATURAL GAS
(Vote for) 1
01 = YES
02 = NO

612 62.77
363 37.23

01 02

2705 UNV5 4 3
2706 UNV6,7,8,9,11,12,13 608 360

=====

WITH 2 OF 2 PRECINCTS REPORTING

VOTES PERCENT

WELLSTON - PROPOSITION 2
ELECTRICAL POWER
(Vote for) 1
01 = YES
02 = NO

573 60.44
375 39.56

01 02

2705 UNV5 3 3
2706 UNV6,7,8,9,11,12,13 570 372

=====

WITH 2 OF 2 PRECINCTS REPORTING

VOTES PERCENT

WELLSTON - PROPOSITION 3
WATER SERVICE
(Vote for) 1
01 = YES
02 = NO

546 57.35
406 42.65

01 02

2705 UNV5 4 3
2706 UNV6,7,8,9,11,12,13 542 403

=====

WITH 2 OF 2 PRECINCTS REPORTING

	VOTES	PERCENT
WELLSTON - PROPOSITION 4		
TELEPHONE SERVICE		
(Vote for) 1		
01 = YES	534	56.33
02 = NO	414	43.67

	01	02

2705 UNV5	4	3
2706 UNV6,7,8,9,11,12,13	530	411

WITH 2 OF 2 PRECINCTS REPORTING

	VOTES	PERCENT
WELLSTON - PROPOSITION 5		
TELEGRAPH SERVICE		
(Vote for) 1		
01 = YES	564	59.68
02 = NO	381	40.32

	01	02

2705 UNV5	4	3
2706 UNV6,7,8,9,11,12,13	560	378

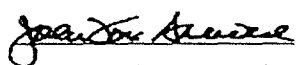
WITH 2 OF 2 PRECINCTS REPORTING

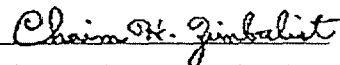
	VOTES	PERCENT
WELLSTON - PROPOSITION 6		
MERCHANT BUSINESSES		
(Vote for) 1		
01 = YES	584	61.15
02 = NO	371	38.85

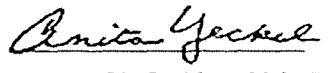
	01	02

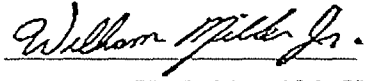
2705 UNV5	4	3
2706 UNV6,7,8,9,11,12,13	580	368

WE, THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY, MISSOURI, ACTING AS THE VERIFICATION BOARD PURSUANT TO 115.507 R.S. MO. 1978, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF VOTES CAST FOR THE CANDIDATES AND ISSUES AT THE GENERAL ELECTION HELD IN ST. LOUIS COUNTY, MISSOURI, ON NOVEMBER 4, 2008. IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR HAND AT OUR OFFICE IN MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI, ON NOVEMBER 18, 2008.


JOHN FOX ARNOLD, CHAIRMAN


CHAIM H. ZIMBALIST, SECRETARY


ANITA YECKEL, COMMISSIONER

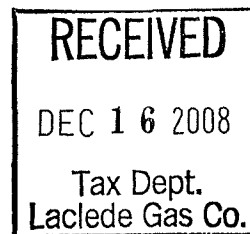

WILLIAM MILLER JR., COMMISSIONER

City of
Wellston

Frank McNeil
MAYOR

December 8, 2008

Ms. Nancy C. Wentworth
Manager, Tax Accounting Operations
Laclede Gas Company
720 Olive Street
St. Louis, Missouri 63101

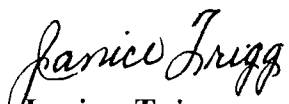


Dear Ms. Wentworth,

Enclosed you will find a certified copy of Ordinance 2001, which was passed by the Council and approved by the Mayor of the City of Wellston. This ordinance increases the gross receipts tax rate from 5% to 7%, effective Dec.1, 2008. It was voted upon and passed by the electorate of this community on Nov. 4, 2008.

Please call me at 314-553-8000 or email me at janstrigg@hotmail.com if you have any questions regarding this information.

Respectfully,


Janice Trigg
City Adm./Clerk
City of Wellston

Bill No. 4267, an Ordinance Granting to Spire Missouri Inc., a Missouri Corporation, Operating a Gas Distribution System in the City of Wentzville, Missouri, Its Successors or Assigns, a Non-Exclusive Franchise to Operate a Natural Gas Distribution Plant and System in Said City and Matters Relating Thereto.

WHEREAS, pursuant to Ordinance No. 1487, the City of Wentzville, Missouri ("City"), previously granted a certain non-exclusive franchise to Laclede Gas Company, its successors and assigns, which has now expired; and

WHEREAS, Spire Missouri Inc., a corporation of the State of Missouri (hereinafter called "Spire" or "Company"), is the successor to Laclede Gas Company, and as such operated a franchise to operate a natural gas distribution plant and system in the City pursuant to Ordinance No. 1487; and

WHEREAS, City and Company both desire that the Board of Aldermen of the City adopt and that the Mayor sign an ordinance to grant a new non-exclusive franchise to Company, upon terms and conditions which would supersede and replace any prior agreement or ordinance upon acceptance by the parties.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI, AS FOLLOWS.

Section 1: To the extent permitted by law, City hereby grants a non-exclusive franchise, right, permission and authority unto Company, its successors and assigns, for a period of twenty (20) years 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 ("Facilities"), in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the 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 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 Facilities to be installed and maintained with due regard to the rightful use by the City and 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 Spire's 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 necessary to the health, safety, and welfare of the public.

Section 2: Extensions of, and additions to, the distribution system maintained by Spire, its successors or assigns, in the City of Wentzville, 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 its Facilities in the right-of-way.

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, including death, or damage to person or property arising from the negligent or reckless acts or omissions or mismanagement of Spire or its subcontractors in the construction, reconstruction, excavation, extension, restoration, or maintenance of the Facilities, including, without limitation, 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 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 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 right-of-way management costs, which shall be as determined in accordance with sections 67.1830 - 67.1846 RSMo.

Section 6: This ordinance granting the franchise referenced herein shall be subject to approval or disapproval of the voters of this City only upon the terms and conditions as provided in Section 88.251, RSMo. If the City Clerk does not receive, within thirty (30) days after the passage of this ordinance, a petition sufficient in form and signed by the requisite number of voters, it shall be a valid and binding franchise upon the City, and upon Spire filing its acceptance of this ordinance with the City Clerk within sixty (60) days after the passage and approval of this ordinance by the City, 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 for the use and management of the City's rights-of-way and requiring Spire to obtain written permits or other approval from the City prior to commencement of construction of Facilities within the City's rights-of-way.

Section 10: This ordinance shall not convey title to Company, equitable or legal, in the rights-of-way, and gives only the right to occupy rights-of-way, for the purposes and for the period stated in this ordinance. However, this ordinance shall not be deemed to nullify any equitable or legal title User may have in the right-of-way. This ordinance shall not grant the right to use property or infrastructure owned or controlled by a third-party, without obtaining appropriate legal rights and/or the separate consent of such party owning or controlling the property or infrastructure, nor shall it excuse Spire from obtaining appropriate access or land rights before staging equipment or materials on property or infrastructure controlled or owned by a third party. Any work performed pursuant to the rights granted under this ordinance shall be subject to the reasonable prior review and approval of the City including the City's public works permit approval process, which review and permitting will be performed at no cost to Company. Further, the placement of Facilities within the Rights-of-Way from the date of this ordinance must be done in a manner so as to not interfere with or limit other uses of the Rights-of-Way.

Section 11: Company is expressly advised that there are certain Restricted Dig/Drill/Bore Zones ("RDDDB Zones") within the City. Attached as Exhibit A are maps of the RDDDB Zones in the City. Company further acknowledges that it shall direct any third-party responsible for installation of pipes, conduit or other structures and equipment for the purpose of operating the Facilities that all such equipment is required to be installed in a manner to comply with the City's RDDDB Zone requirements. In the event that Spire proposes to dig, directional bore, or drill within ten (10) feet of the critical infrastructure lines located in the RDDDB Zones, Spire must:

1. Apply for a RDDDB permit to dig, drill, or bore within 10 feet of these critical system lines (RDDDB Zones);
2. Attend a site visit with City staff prior to any digging, drilling, or boring adjacent to a RDDDB Zone;
3. Perform one or more hand dug potholes to positively identify the exact location of any pipe located within an affected RDDDB Zone;

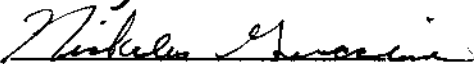
- 4. Except for emergency repairs, schedule with the City the digging, drilling, or boring a minimum of 48 hours in advance between 8 am and 2 pm Monday to Thursday; and
- 5. Receive permit approval to perform the work at the selected time to ensure City staff is available to monitor.

Except as may otherwise be provided, Spire shall reasonably notify all residents whose gas service may be impacted by the proposed work prior to commencement of the digging, drilling or boring in the RDDB Zone. All construction and maintenance by Spire or its subcontractors shall be performed in accordance with industry standards.

Section 12: 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 13: This ordinance shall be in full force and effective immediately upon its enactment and approval.

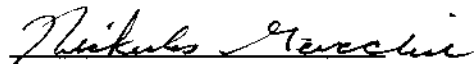
READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI THIS 12 DAY OF February, 2020.


Mayor, Nickolas Guccione

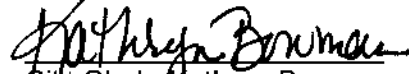
Attest:


City Clerk, Kathryn Bowman

APPROVED BY THE MAYOR OF THE CITY OF WENTZVILLE, MISSOURI THIS 13 DAY OF February, 2020.


Mayor, Nickolas Guccione

Attest:

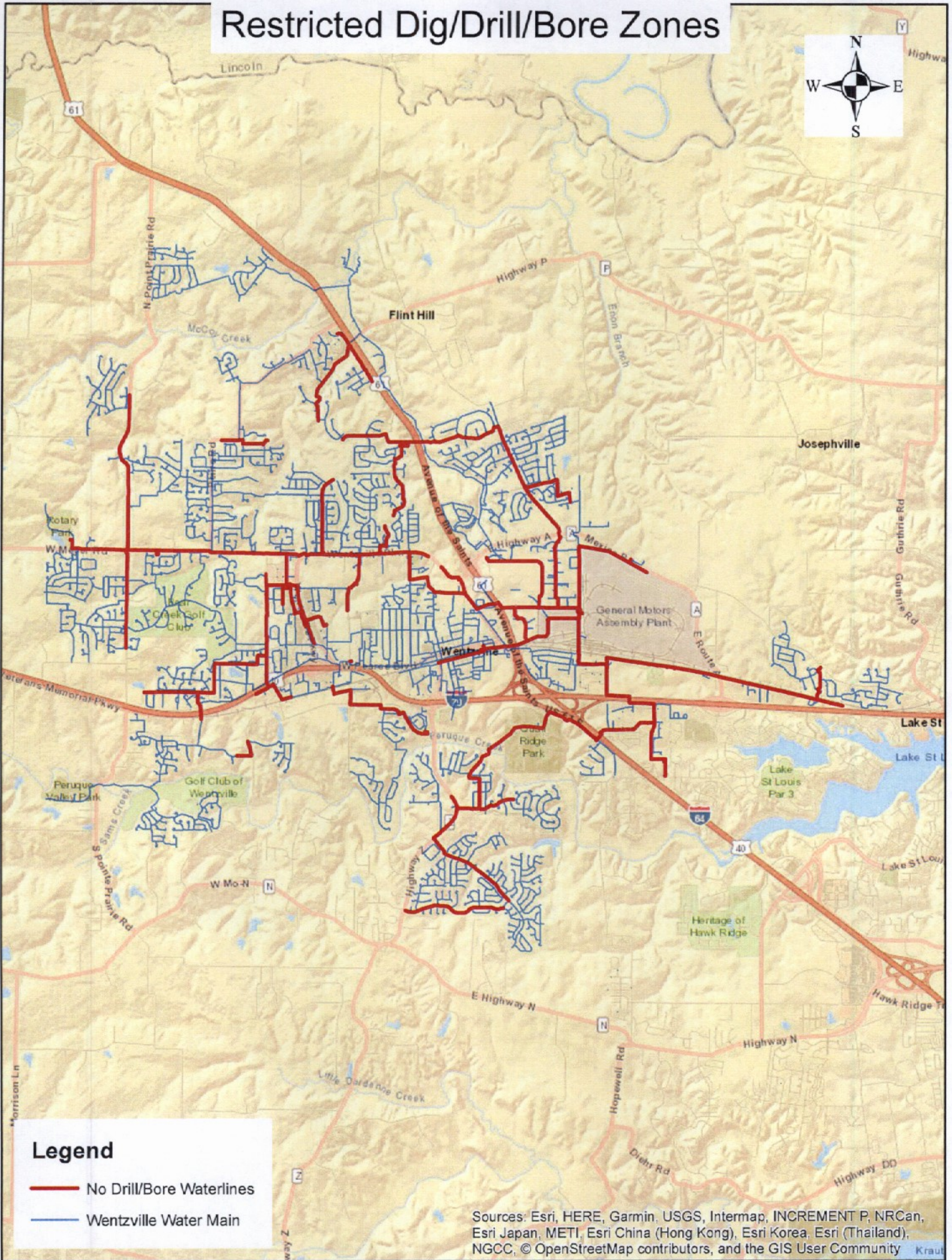

City Clerk, Kathryn Bowman

Approved as to Form:

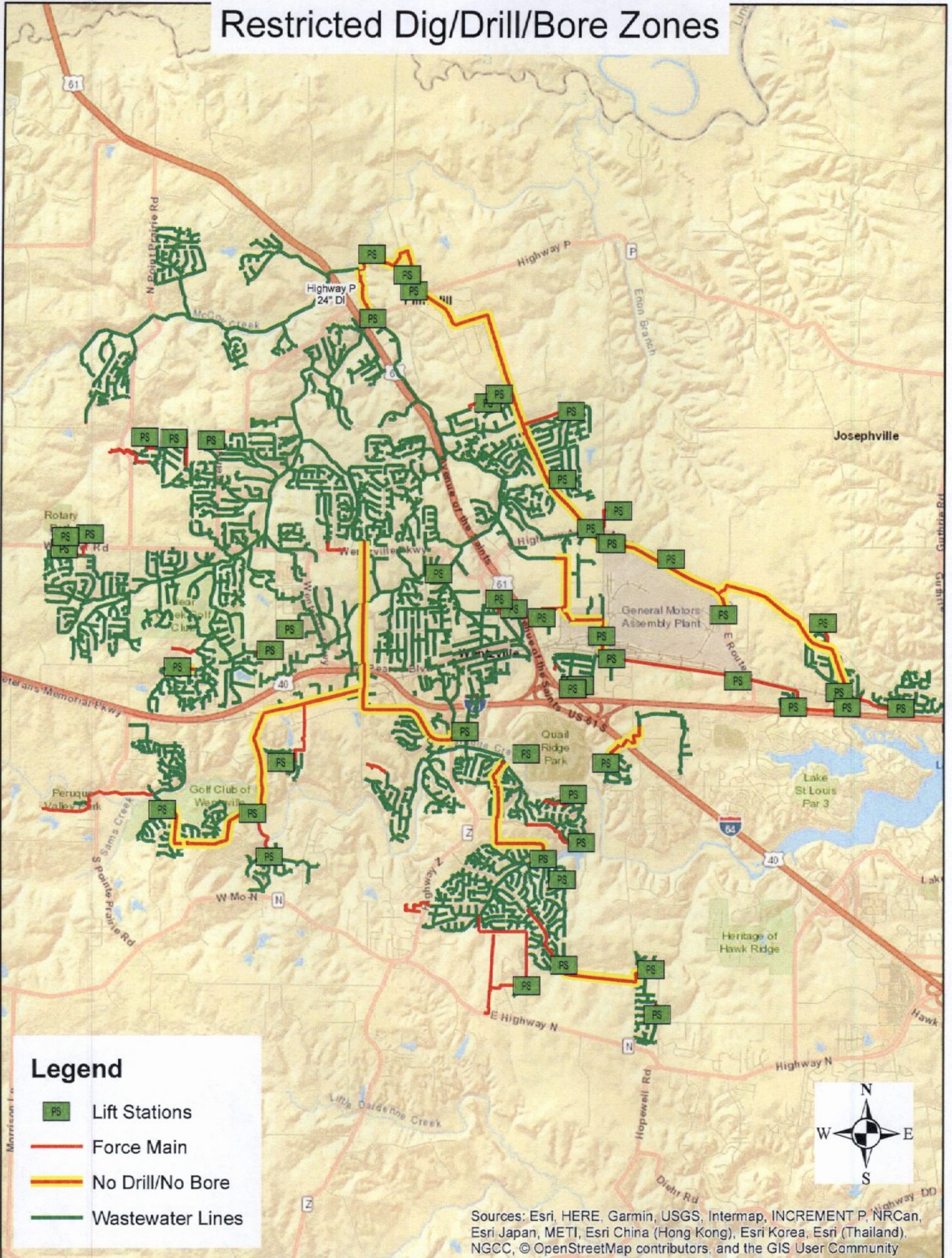

Attorney



Restricted Dig/Drill/Bore Zones



Restricted Dig/Drill/Bore Zones



BILL NO. 04-21 INTRODUCED BY TRUSTEE Tarleton - Jim

ORDINANCE NO. 04-21

AN ORDINANCE CALLING A MUNICIPAL ELECTION IN THE VILLAGE OF WEST SULLIVAN, MISSOURI, ON THE QUESTION OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID VILLAGE AN OCCUPATIONAL LICENSE TAX ON ALL BUSINESSES PROVIDING ELECTRIC, TELEPHONE, WATER OR GAS SERVICE WITHIN THE VILLAGE OF WEST SULLIVAN, MISSOURI, FOR THE GENERAL FUND FOR THE VILLAGE OF WEST SULLIVAN, MISSOURI

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WEST SULLIVAN, MISSOURI, AS FOLLOWS:

Section 1. That a municipal election in the Village of West Sullivan, Missouri, shall be and the same is hereby called and ordered to be held on November 2, 2004, for the purpose of submitting to the qualified voters of said Village the following proposition:

Proposition

Shall the Village of West Sullivan, Crawford County, Missouri impose on every person now or hereafter engaged in the business of supplying utility service, including electricity, electric power, electrical service, gas, gas service, water, water service, telegraph service, telephone, or information systems, within the present or any future boundaries of the Village, an Occupational License Tax of six percent (6%) of the gross receipts from such business.

Yes ()

No ()

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

*with
Payment due on last day of month for preceding month.
to
type in gross method*
02/16/2006 THU 10:25 [TX/RX NO 72831] 001

Section 2. The tax authorized by this Ordinance shall be in addition to any and all other taxes allowed by law.

Section 3. All revenue received by the Village from the tax authorized under the provisions of this Ordinance shall be deposited in the general fund.

Section 4. The occupational license tax imposed by this Ordinance shall be imposed on every person now or hereafter engaged in the business of supplying utility service, including electricity, electric power, electrical service, gas, gas service, water, water service, telegraph service, telephone, or information systems, within the present or any future boundaries of the Village at a sum equal to six percent (6%) of the gross receipts derived by any utilities within the Village of West Sullivan, Missouri.

Section 5. This Ordinance shall be in full force and effect from and after approval by a majority of the qualified voters of the Village of West Sullivan, Missouri, voting in the General Election called for herein vote in favor of the proposition contained herein.

Section 6. Each public utility shall, on forms designed and furnished by the Village, make and file a verified return with the Village Clerk covering the prior month, on or before the last day of the month following the close of each such month and at that time shall pay the tax for the period covered by the return; the first return shall be due December 31, 2004 for the period ending November 30, 2004.

Section 7. The City Clerk or his/her duly authorized designate shall be authorized to investigate the correctness of the statement, and for that purpose the City Clerk shall have access at all reasonable times to books, papers and records in order to ascertain the accuracy thereof.

Passed: 7/21/04

Attest: Susie Adkison
Village Clerk

[Signature]
Chairman

Approved: 7/21/04

Attest: Susie Adkison
Village Clerk

[Signature]
Chairman

AN ORDINANCE IMPOSING A LICENSE TAX ON THE GROSS RECEIPTS OF UTILITIES SUPPLYING SERVICES WITHIN THE CITY OF WILDWOOD, MISSOURI, AND CALLING AN ELECTION FOR VOTER APPROVAL OF SAME.

WHEREAS, § 94.110 RSMo 1994 authorizes third class cities such as the City of Wildwood to impose a license tax on the gross receipts of utility companies doing business and supplying service within such cities; and

WHEREAS, residents and businesses in the City of Wildwood have been indirectly paying a five percent tax on utility services pursuant to the Charter and ordinances of St. Louis County prior to incorporation of the City; and

WHEREAS, imposition of a municipal utility tax at the rate of five percent as hereinafter provided would not result in any increase in taxation for Wildwood residents and business but would merely result in such tax revenues being paid to the City of Wildwood rather than St. Louis County; and

WHEREAS, revenues derived from a utility tax as hereinafter provided are essential to the City of Wildwood being able to provide essential municipal services to residents and businesses located within the said City; and

WHEREAS, Art. X, § 22(a) of the Missouri Constitution may require voter approval for levying such a utility tax, even though no tax increase would result from the municipal tax hereinafter provided;

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

Section One. Definitions.

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

City Clerk. The City Clerk of the City of Wildwood, Missouri, or any other duty authorized financial officer of the City.

Gross receipts. The aggregate amount of all sales and charges of the commodities or services of a "public utility" made in the City of Wildwood during any period less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during the period.

Public utility. 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, electric power, electrical service, gas, gas service, water, water service, telegraph service or exchange telephone service in the City.

Section Two. Tax Imposed-Amount.

Every public utility shall pay to the City an annual license or occupational tax in an amount equal to five (5) percent of the gross receipts derived from such business.

Section Three. Monthly verified returns; due date.

(A) Each public utility shall, on forms designed and furnished by the City, make and file a verified return with the City Clerk covering the prior month, on or before the twentieth day following the close of each such month and at that time shall pay the tax for the period covered by the return; the first return shall be due December 20, 1995, for the period ending November, 1995.

(B) Every person hereafter doing business in the City as a public utility as defined herein shall file verified returns and pay the tax set forth herein.

Section Four. Examination of records by City Clerk, etc.

The City Clerk shall have the authority to examine the books and records of any person subject to the tax imposed herein for the purpose of determining the accuracy of the statements filed by such person. It shall be unlawful for any such person to refuse such examination by the City Clerk or his authorized agents at reasonable times. Should it be ascertained that the gross receipts herein taxed of any such public utility during the specified period is greater than the amount reported, such public utility, notwithstanding its return, shall pay the tax hereunder on its gross receipts as ascertained by the City Clerk, plus interest thereon at nine percent (9%) per annum.

Section Five. City Clerk to establish rules and regulations.

The City Clerk shall prescribe all incidental rules and regulations for the enforcement of this article.

Section Six. Failure to pay tax.

In the event that any public utility hereunder fails to pay the tax, fails to properly report its gross receipts, or otherwise fails to discharge any duty hereunder,

suit may be filed in any court of competent jurisdiction to enforce the payment of the tax and liability.

Section Seven. Penalty for violation.

Any person, persons, firm, association or corporation violating any of the provisions of this article or any employee, agent or other person taking part in, joining or aiding in a violation of any provision of this article may be prosecuted as provided by law for the violation of ordinances of the City and, upon conviction thereof, shall be subject to the penalties provided for violation of City ordinances. Each day a violation continues shall constitute a separate offense.

Section Eight. Election Authorized.

The Board of Election Commissioners of St. Louis County is hereby authorized and directed to conduct an election on Tuesday, November 7, 1995, at which a proposition shall be submitted to the voters of the City of Wildwood, Missouri, in substantially the following form, to wit:

Proposition No. 1

Shall the license tax of five percent (5%) which was previously collected by the County of St. Louis 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 service be continued and imposed as a tax of the City of Wildwood pursuant to Ordinance No. _____?

Yes
No

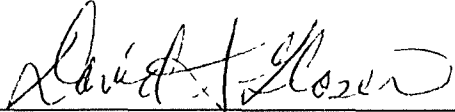
If you are in favor of the question, place an X in the box opposite "YES". If you are opposed to the question, place an X in the box opposite "NO."

The Mayor and City Clerk shall execute, on behalf of the City, all documents required by the Election Board for the placing of this proposal before the voters.

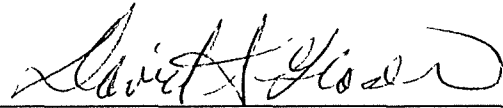
Section Nine. Effective Date.

This Ordinance shall be in full force and effect both from and after its passage and approval and the license fee and tax herein provided shall be effective immediately upon approval by the voters of the City.

This Bill was passed and approved this 1st day of September, 1995, by the Council of the City of Wildwood after having been read by title or in full two times prior to passage.



PRESIDING OFFICER



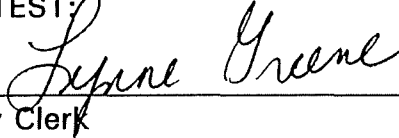
MAYOR

ATTEST:



City Clerk

ATTEST:



City Clerk

BILL NO.

ORDINANCE NO.

AN ORDINANCE IMPOSING A LICENSE TAX ON THE GROSS RECEIPTS OF UTILITIES SUPPLYING SERVICES WITHIN THE CITY OF WILDWOOD, MISSOURI, AND CALLING AN ELECTION FOR VOTER APPROVAL OF SAME.

WHEREAS, § 94.110 RSMo 1994 authorizes third class cities such as the City of Wildwood to impose a license tax on the gross receipts of utility companies doing business and supplying service within such cities; and

WHEREAS, residents and businesses in the City of Wildwood have been paying a five percent tax on utility services pursuant to the Charter and ordinances of St. Louis County prior to incorporation of the said City; and

WHEREAS, imposition of a municipal utility tax at the rate of five percent as hereinafter provided would not result in any increase in taxation for Wildwood residents and business but would merely result in such tax revenues being paid to the City of Wildwood rather than St. Louis County; and

WHEREAS, revenues derived from a utility tax as hereinafter provided are critical to the City of Wildwood being able to provide essential municipal services to residents and businesses located within the said City; and

WHEREAS, Art. X, § 22(a) of the Missouri Constitution may require voter approval for levying such a utility tax, even though no tax increase would result from the municipal tax hereinafter provided;

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

Section 1. Definitions.

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

City Clerk. The City Clerk of the City of Wildwood, Missouri, or any other duty authorized financial officer of the City.

Gross receipts. The aggregate amount of all sales and charges of the commodities or services of a "public utility" made in the City of Wildwood during any period less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during the period.

Public utility. 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, electric power, electrical service, gas, gas service, water, water

service, telegraph service or exchange telephone service in the City.

Section 2. Tax Imposed-Amount.

Every public utility shall pay to the City an annual license or occupational tax in an amount equal to five (5) percent of the gross receipts derived from such business.

Section 3. Monthly verified returns; due date.

(a) Each public utility shall, on forms designed and furnished by the City, make and file a verified return with the City Clerk covering the prior month, on or before the twentieth day following the close of each such month and at that time shall pay the tax for the period covered by the return; the first return shall be due December 20, 1995, for the period ending November, 1995.

(b) Every person hereafter doing business in the City as a public utility as defined herein shall file verified returns and pay the tax set forth herein.

Section 4. Examination of records by City Clerk, etc.

The City Clerk shall have the authority to examine the books and records of any person subject to the tax imposed herein for the purpose of determining the accuracy of the statements filed by such person. It shall be unlawful for any such person to refuse such examination by the City Clerk or his authorized agents at reasonable times. Should it be ascertained that the gross receipts herein taxed of any such public utility during the specified period is greater than the amount reported, such public utility, notwithstanding its return, shall pay the tax hereunder on its gross receipts as ascertained by the City Clerk, plus interest thereon at nine percent (9%) per annum.

Section 5. City Clerk to establish rules and regulations.

The City Clerk shall prescribe all incidental rules and regulations for the enforcement of this article.

Section 6. Failure to pay tax.

In the event that any public utility hereunder fails to pay the tax, fails to properly report its gross receipts, or otherwise fails to discharge any duty hereunder, suit may be filed in any court of competent jurisdiction to enforce the payment of the tax and liability.

Section 7. Penalty for violation.

Any person, persons, firm, association or corporation violating any of the provisions of this article or any employee, agent or other person taking part in, joining or aiding in a violation of any provision of this article may be prosecuted as provided by law for the violation of ordinances of the City and, upon conviction 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. Election Authorized.

The Board of Election Commissioners of St. Louis County is hereby authorized and directed to conduct an election on Tuesday, November 7, 1995, at which a proposition shall be submitted to the voters of the City of Wildwood, Missouri, in substantially the following form, to wit:

Proposition No. 1

Shall the license tax of five percent (5%) which was previously collected by the County of St. Louis 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 service be continued and imposed as a tax of the City of Wildwood pursuant to Ordinance No. _____?

Yes
No

If you are in favor of the question, place an X in the box opposite "YES". If you are opposed to the question, place an X in the box opposite "NO."

The Mayor and City Clerk shall execute, on behalf of the City, all documents required by the Election Board for the placing of this proposal before the voters.

Section Six. Effective Date.

This Ordinance shall be in full force and effect both from and after its passage and approval by the Mayor and the license fee and tax herein provided shall be effective, if approved by the voters of the city, immediately upon certification of the results of such election.

This Bill was passed and approved this _____ day of September, 1995, by the Council of the City of Wildwood after having been read by title or in full two times prior to passage.

PRESIDING OFFICER

MAYOR

ATTEST:

ATTEST:

City Clerk

City Clerk



CITY OF WINCHESTER

109 LINDY BLVD.

WINCHESTER, MISSOURI 63021

PH. (314) 391-0600

November 2, 1992

Laclede Gas Company
Drawer 2
St. Louis, Missouri 63171

Re: Laclede Gas Company Gross Receipts

Dear Sir:

Enclosed please find a certified copy of Ordinance #685 dealing with the Laclede Gas Company gross receipts for the City of Winchester.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Beckett". The signature is written in black ink and is positioned above the typed name.

Barbara Beckett, CMC
City Clerk

Enclosure



CITY OF WINCHESTER

109 LINDY BLVD.

WINCHESTER, MISSOURI 63021

PH. (314) 391-0600

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

TO ALL WHOM THESE PRESENT SHALL COME:

I, Barbara Beckett, Clerk of the City of Winchester, State of Missouri, do certify that the annexed pages contain a full, true and complete copy of Ordinance #685 of the City of Winchester dealing with the Laclede Gas Gross Receipts, in the City of Winchester as the same appears on file and of record in this office.

IN TESTIMONY WHEREOF, I HEREUNTO set my hand and affix the seal of the City of Winchester this 2nd day of November, 1992.

Barbara Beckett
Barbara Beckett, CMC
City Clerk

SEAL

BILL NO. 697

ORDINANCE NO. 685

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; 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 BOARD OF ALDERMEN OF THE CITY OF WINCHESTER, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: That the City of Winchester, in order to maintain its sources of revenue at its historical level, hereby determines to maintain the six percent (6%) 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.

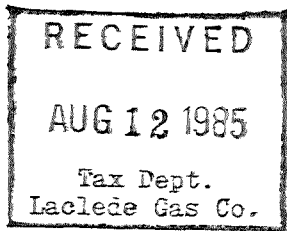
PASSED AND APPROVED this 14th day of October, 1992.


FRED O. BRENNER, SR., Mayor

ATTEST:


Barbara Beckett, CMC
City Clerk

BILL NO. 498



ORDINANCE NO. 489

Introduced by _____

AN ORDINANCE AMENDING ORDINANCE NO. 50 OF THE CITY OF WINCHESTER, MISSOURI, AS AMENDED BY ORDINANCE NO. 120 AND 251 ENTITLED "AN ORDINANCE LEVYING A LICENSE OR OCCUPATIONAL TAX UPON ALL PERSONS, FIRMS OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING GAS OR GAS SERVICE FOR COMPENSATION FOR ANY PURPOSE IN THE CITY OF WINCHESTER, MISSOURI; PROVIDING FOR THE FILING OF ANNUAL REPORTS BY SAID PERSONS, FIRMS OR CORPORATIONS; FIXING THE DATE AND MANNER OF PAYMENTS OF SAID TAX; AND PRESCRIBING PENALTIES ON DELINQUENT TAXES AND FOR VIOLATION HEREOF", BY AMENDING SECTION ONE TO PROVIDE FOR A DEFINITION OF THE TERM "GROSS RECEIPTS", AND BY FURTHER AMENDING SECTION TWO TO PROVIDE FOR MONTHLY REPORTS IN LIEU OF ANNUAL REPORTS.

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

SECTION ONE. Section One of Ordinance No. 50 as amended by Ordinance No. 120 and 251, is hereby repealed and the following new section is enacted in lieu thereof, which new section as amended shall read as follows:

"SECTION ONE: Pursuant to the Laws of Missouri, 1945, page 1224, every person, firm or corporation now or hereafter engaged in the business of supplying or furnishing gas or gas service in the City of Winchester, Missouri, shall pay to the said city as a license or occupational tax six percent (6%) of the gross receipts derived from such business within said 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 Winchester, Missouri, during any period, less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off."

SECTION TWO. Section Two of Ordinance No. 50 as amended by Ordinance No. 120 and 251 is hereby repealed, and the following new section is enacted in lieu thereof:

"SECTION TWO: Every person, firm or corporation engaged in the business hereinabove set forth in the City of Winchester, is hereby required to file with the City Clerk of said city on or before May 31, 1979, a sworn statement showing the gross receipts derived from the transaction of such business in the city from January 1, 1979 through April 30, 1979, and on or before the last day of each calendar month thereafter commencing with June, 1979, a sworn statement showing the gross receipts derived from such business during the preceding calendar month; and at the same time pay to the City Collector the tax hereinbefore set forth."

SECTION THREE. This ordinance shall not be construed as eliminating either the requirement established by Ordinance No. 50 as amended by Ordinance No. 120 and 251 to file a sworn statement on or before May 15, 1979, showing the gross receipts so derived during the calendar year 1978 or the requirement to pay on or before such date the applicable tax.

SECTION FOUR. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED THIS 25th DAY OF APRIL, 1979.

Richard Zelman
Mayor

ATTEST:

Barbara Mittler
City Clerk

APPROVED THIS 25th DAY OF APRIL, 1979.

Richard Zelman
Mayor

ATTEST:

Barbara Mittler
City Clerk

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

I, Barbara Mittler, City Clerk within and for the City of Winchester, in the State and County aforesaid, do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 489 of said city as passed by the Board of Aldermen and approved by the Mayor on the 25th day of April, 1979, 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 Winchester, Missouri, at my office in said city, this 25th day of April, 1979.

Barbara Mittler
City Clerk

CITY OF



**WOODSON
TERRACE**



September 30, 1985

Mayor
James F. Traube
*Administrative Assistant
to the Mayor*
Mrs. Mary T. Ebbesmeyer
City Clerk
Mrs. Dorothy Rickard
City Treasurer
Lois Rodebaugh
City Attorney
Thomas M. Utterback

Aldermen
John Allen
Harry Davis
Margaret Getz
Gilbert Meyer
Bonnie Nations
William Ratchford
James Sieveking
Gary Stroet

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

Attention: Tax Department

Dear Sir:

Enclosed please find a certified copy of Ordinance 1091 enacted by the Board of Aldermen on September 19th 1985.

This is in compliance with SS393.275. If you need any additional information, please contact my office. Thank you.

Very truly yours,

Mrs. Dorothy Rickard, CMC
City Clerk

Encl.

Introduced by:

AN ORDINANCE TO MAINTAIN GROSS RECEIPT TAXES IMPOSED UPON
LACLEDE GAS COMPANY.

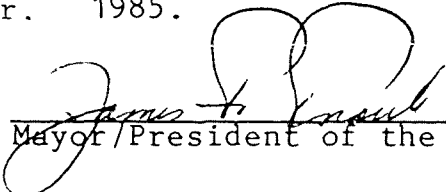
- WHEREAS: The General Assembly of the State of Missouri enacted in its 1985 Session House Bill Number 200 repealing and enacting a new § 393.275 RSMo; and
- WHEREAS: By authority of this law the city can maintain gross receipt tax that it imposes upon Laclede Gas Company; and
- WHEREAS: The City has been notified by the Missouri Public Service Commission under the authority of § 393.275 RSMo that said corporation has received a tariff increase in excess of 7 percent; and
- WHEREAS: It is necessary for the continued operation of the City that the municipal gross receipt tax upon said company be maintained at its present rate.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOODSON TERRACE, ST. LOUIS COUNTY, MISSOURI, as follows:

SECTION 1. That the City of Woodson Terrace, in order to maintain its sources of revenue at its historical level, hereby determines to maintain the 5 percent gross receipts tax against the Laclede Gas Company.

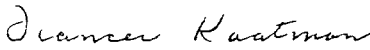
SECTION 2. The City Clerk is hereby directed to send a copy of this ordinance to Laclede Gas Company and to the Public Service Commission.

Passed this 19th day of September, 1985.



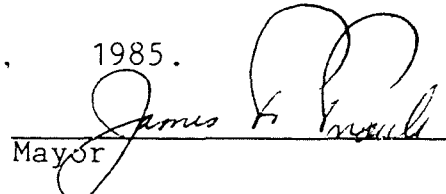
Mayor/President of the Board

ATTEST:



City Clerk - Deputy


Approved this 19th day of September, 1985.



Mayor

I, Dorothy Rickard, City Clerk of the City of Woodson Terrace, do hereby certify that the foregoing is a true copy of Ordinance No. 1091, of said City, passed by the Board of Aldermen on September 19, 1985, as fully as the same appears in my office in permanent records.

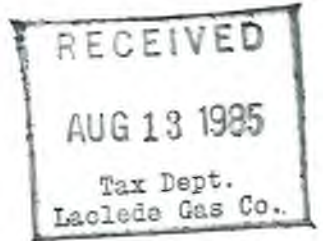
In Testimony Whereof, I have hereunto set my hand and affixed the seal of the City of Woodson Terrace, St. Louis County, Missouri, in my office this 30th day of September, 1985.



Dorothy Rickard, City Clerk



**WOODSON
TERRACE**



August 12, 1985

Mayor
James F. Traube
*Administrative Assistant
to the Mayor*
Mrs. Mary T. Ebbesmeyer
City Clerk
Mrs. Dorothy Rickard
City Treasurer
Lois Rodebaugh
City Attorney
Thomas M. Utterback
Aldermen
John Allen
Harry Davis
Margaret Getz
Gilbert Meyer
Bonnie Nations
William Ratchford
James Sieveking
Gary Stroot

*Laclede Gas Company
720 Olive Street
St. Louis, Missouri 63101*

Attention: Mr. P. Krieger

Dear Mr. Krieger:

As per our telephone conversation of last week, I am enclosing copies of Ordinances Numbers 670 and 838, which calls for the gross receipts tax on gas from the City of Woodson Terrace.

If you have any questions, please contact my office.

Very truly yours,

Dorothy Rickard
Mrs. Dorothy Rickard, CMC
City Clerk

Introduced by Alderman O'Rourke

AN ORDINANCE AMENDING ORDINANCE NO. 98, PERTAINING TO LEVY OF A LICENSE TAX UPON ALL PERSONS, FIRMS, OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING OR FURNISHING GAS OR GAS SERVICE BY REQUIRING SUCH TAX TO BE PAID QUARTERLY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOODSON TERRACE, MISSOURI, as follows:

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 Woodson Terrace, Missouri, shall pay to the City as a license or occupational tax, five percent (5%) of the gross receipts derived from such business within the City.

"Gross Receipts" means the aggregate amount of all sales and charges of commodities or services as herein described from the business of supplying or furnishing gas or gas service for compensation in the City of Woodson Terrace, Missouri, during any period less discounts, credits, refunds, sales taxes and uncollectible accounts actually charged off during the period.

SECTION 2. All such persons, firms or corporations described in Section 1 hereof shall file with the City Clerk of the City of Woodson Terrace, on the last day of July, 1972, a verified statement of gross receipts of such persons, firms or corporations derived from supplying or furnishing gas or gas service from January 1, 1972 to June 30, 1972. Payment of such tax so stated shall be made on the last day of July, 1972, and shall be for a license to operate for the three month period beginning July 1, 1972 and ending September 30, 1972.

Thereafter such statements and payment shall be due and made on the last day of October, January, April and July for the gross receipts derived from supplying or furnishing gas or gas service during the preceding three months. Such payment shall be for a license to operate for the calendar quarter in which payment is made.

SECTION 3. The City Clerk and such other person or persons as may be designated by the Mayor 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 making such return in order to ascertain the accuracy thereof.

SECTION 4. Nothing contained in this ordinance shall be so construed as to exempt any person, firm or corporation to which this ordinance is applicable from the payment to the City of Woodson Terrace of the tax which the City levies upon the real or personal property belonging to such person, firm, or corporation.

SECTION 5. Any person, firm or corporation engaged in any business to which this ordinance applies who shall violate any of the provisions hereof, shall on conviction thereof, be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for each such offense and each day such violation continues shall be deemed a separate offense.

SECTION 6. Should any section or sections or parts thereof, of this ordinance be held invalid for any reason, such invalidity shall not impair the validity of the remaining sections or parts thereof, it being the expressed declaration of the Board of Aldermen that they would have passed this ordinance without such invalid section, sections, or parts thereof,

SECTION 7. This Ordinance shall take effect and be in force from and after its adoption and passage as provided by law.

Passed this 27th day of July, 1972.

/s/ John T. Layton Jr.
Mayor

ATTEST:

/s/ Dorothy Rickard
City Clerk

Approved this 6th day of July, 1972 .

/s/ John T. Layton Jr.
Mayor

Introduced by: Mayor Brown

AN ORDINANCE AMENDING ORDINANCE NO. 98, AS AMENDED, PERTAINING TO THE LEVY OF A LICENSE TAX UPON ALL PERSONS, FIRMS, OR CORPORATIONS ENGAGED IN THE BUSINESS OF SUPPLYING OR FURNISHING GAS OR GAS SERVICE BY REQUIRING SUCH TAX TO BE PAID MONTHLY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOODSON TERRACE, MISSOURI, as follows:

SECTION 1. Ordinance No. 98, entitled, "An Ordinance levying a license or occupational tax upon all persons, firms, or corporations engaged in the business of supplying gas or gas service for compensation for any purpose in the City of Woodson Terrace, Missouri; providing for the filing of reports by said persons, firms, or corporations; fixing the dates and manner of the payment of said tax; and prescribing a penalty for the violations thereof", as amended by ordinance No. 670, is hereby amended by repealing section 2 thereof and enacting in lieu thereof a new section 2 as follows:

SECTION 2. Every person, firm or corporation engaged in the business hereinbefore set forth, in the City of Woodson Terrace shall file with the City Clerk of the City of Woodson Terrace, on the last day of January 1978, a verified statement of gross receipts of such persons, firms, or corporations, derived from the transaction of such business in the city during the period October 1, 1977 to December 31, 1977 and at the same time pay to the City Collector the tax hereinbefore set forth.

Thereafter such sworn statements and payments shall be due and made on the last day of February 1978 and the last day of each succeeding month thereafter for the gross receipts derived from the transaction of such business in the City during the preceding calendar month.

Passed this 1st day of December, 1977.

/S/ John L. Brown
Mayor

ATTEST:

/S/ Dorothy Rickard
City Clerk

Approved this 1st day of December, 1977.

/S/ John L. Brown
Mayor