



City of Gahanna

200 South Hamilton
Road
Gahanna, Ohio 43230

Signature

Ordinance: ORD-0062-2024

File Number: ORD-0062-2024

AN ORDINANCE GRANTING TO OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF GAHANNA, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY TO THE CITY OF GAHANNA, STATE OF OHIO, AND INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH OR ACROSS SAID CITY OF GAHANNA, STATE OF OHIO; AND WAIVING SECOND READING

WHEREAS, Ohio Power Company provides electrical power to properties within the City of Gahanna; and

WHEREAS, communities in which Ohio Power Company serves hold 25-year franchise agreements to construct, maintain, and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys, and public places; and

WHEREAS, the current franchise agreement with the City of Gahanna expires in October 2024, necessitating a new 25-year franchise agreement between the City of Gahanna and Ohio Power Company and its successors.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

SECTION I.

Ohio Power Company, its successors, and assigns (hereinafter called "Grantee") are hereby granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as the same now exist or may hereafter be laid out) of the City of Gahanna, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in said City and to the inhabitants thereof by supplying electric energy to said City and the inhabitants thereof, and persons or corporations beyond the limits thereof for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission and distribution of the same within, through, or across said City of Gahanna, State of Ohio.

SECTION II.

Said lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

SECTION III.

The rights, privileges, and franchise hereby granted shall be in force and effect for an initial term of twenty-five (25) years from the date of the passage of this Ordinance. Thereafter this franchise shall continue for successive one-year terms, unless either party hereto provides written notice of its intention not to renew at

least one year prior to the term expiration.

The rights, privileges, and franchise hereby granted shall not be construed to be exclusive and the Council of the City of Gahanna hereby reserves the power to grant similar rights, privileges, and franchises to any other person or persons, firm or firms, corporation or corporations.

SECTION IV.

Said Grantee shall save the City harmless from any and all liability arising in any way from Grantee's negligence in the erection, maintenance, or operation of said lines for the distribution and transmission of electric energy, except to the extent such liability arises out of the contributory negligence or willful misconduct of the City.

SECTION V.

Whenever said Grantee shall begin the erection or installation of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced.

SECTION VI.

Wherever in this Ordinance, reference is made to the City or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges, franchises, and obligations herein contained by or on behalf of said City, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors or assigns of said City, or of said Grantee, whether so expressed or not.

SECTION VII.

This Ordinance shall be accepted by the Grantee within sixty (60) days from the date of the passage of same.

SECTION VIII.

The second reading of the Ordinance is hereby waived, and this Ordinance shall be in full force and effect after passage by this Council and 30 days after date of signature of approval by the Mayor.

At a regular meeting of the City Council on September 16, 2024, a motion was made by Renner, seconded by Jones, to waive the second reading of the Ordinance. The vote was as follows:

Ms. Bowers, yes; Ms. Jones, yes; Ms. McGregor, yes; Ms. Padova, yes; Mr. Renner, yes; Mr. Schnetzer, yes; Mr. Weaver, yes.

A motion was made by Schnetzer, seconded by Renner, that the Ordinance be Adopted. The vote was as follows:

Ms. Bowers, yes; Ms. Jones, yes; Ms. McGregor, yes; Ms. Padova, yes; Mr. Renner, yes; Mr. Schnetzer, yes; Mr. Weaver, yes.

President

Merisa Bowers
Merisa K. Bowers

Date

9/16/24

Attest by

Jeremy A. VanMeter

Jeremy A. VanMeter
Clerk of Council

Date

9/16/2024

Approved by the Mayor

Laurie A. Jadwin

Laurie A. Jadwin

Date

9.15.2024

Approved as to Form

PDT

Priya D. Tamilarasan
City Attorney

Date

9/16/24