

**ORDINANCE NO. 789**

The following Ordinance was offered by \_\_\_\_\_, who moved its adoption:

**AN ORDINANCE**

*Granting to Claiborne Electric Cooperative, Inc.. its successors, affiliates, subsidiaries and assigns the franchise, right and privilege, for a period of twenty-five (25) years from the date of the adoption hereof, to supply electric power and energy and/or for other services to the Parish of Claiborne, Louisiana, and the inhabitants thereof, or any person, firm or corporation, and to acquire or construct, operate and maintain such plants, structures, transmission lines, distribution systems and equipment as may be useful or necessary for the manufacture, transportation, distribution and/or sale of electric power and energy and/or for other services in and through the Parish of Claiborne, Louisiana, and the right to erect, operate and maintain poles, masts, supports, wires, cables, transmission lines, conduits, conductors, substations, distribution systems, and all other appurtenances useful or necessary for the transportation and/or distribution and/or sale of electric power and energy and/or for other services on, over, under, along, upon and across all of the present and/or future streets, roads, highways, alleys, and public places of the Parish of Claiborne, Louisiana, not within the limits of any incorporated city, town or village, and the right to repair, replace or remove same, or any portion thereof, and the right to connect any such transmission line or distribution systems to any other transmission line or distribution system for the purpose of transporting electric power and energy and/or for other services into, through, or beyond the boundaries of the Parish.*

SECTION 1. BE IT ORDAINED by the Police Jury of the Parish of Claiborne, Louisiana, in regular session convened, that the Parish of Claiborne herein called the "Parish" grants and there is hereby granted to Claiborne Electric Cooperative, Inc(hereinafter called "Cooperative"), its successors, affiliates, subsidiaries and assigns a franchise, right and privilege, from date of the adoption hereof, to supply electric power and energy and/or for other services to the Parish of Claiborne, Louisiana, and the inhabitants thereof, or any person, firm or corporation, and to acquire or construct, operate and maintain such plants, structures, transmission lines, distribution systems and equipment as may be useful or necessary for the manufacture, transportation, distribution and/or sale of electric power and energy and/or for other services in and through the Parish of Claiborne, Louisiana, and the right to erect, operate, and maintain poles, masts, supports, wires, cables, transmission lines, conduits, conductors, substations, distribution systems, and all other appurtenances useful or necessary for the transportation and/or distribution and/or sale of electric power and energy and/or for other services on, over, under, along, upon and across all of the present and/or future streets, roads, highways, alleys, and public places of the Parish of Claiborne, Louisiana, not within the limits of any incorporated city, town or village, and the right to repair, replace or remove the same, or any portion thereof, and the right to connect any such transmission line or distribution systems to any other transmission line or distribution system for the purpose of transporting electric power and energy and/or for other services into, through, or beyond the boundaries of the Parish.

SECTION 2. BE IT FURTHER ORDAINED, etc., that this franchise is granted upon and subject to the following provisions:

1. This franchise, so far as it applies to the use of any state highway for the purposes herein specified, shall be without effect without the written consent and approval of the Louisiana State Highway Engineer, and no work shall be undertaken by the Cooperative on any

state highway without the written consent of the State Highway Engineer in accordance with the provisions of Revised Statute 33:4362.

2. In maintaining its properties, the Cooperative shall not unnecessarily or unreasonably impair or obstruct the streets, roads, highways, alleys, sidewalks and public grounds, and the Cooperative shall, at its own expense, without unreasonable delay, make all necessary repairs to remedy any damages or remove any obstruction caused by its operations hereunder.

3. The Cooperative shall use reasonable precautions to avoid damage or injury to persons or property, and shall hold and save harmless the Parish from all damages, losses or expense caused by the negligence of the Cooperative, its agents or employees, while exercising any of the rights herein granted.

4. If it should, in good faith, be found during the term of this franchise that any of the Cooperative's poles or structures located on any parish road in Claiborne Parish, interferes with or obstructs the Police Jury's maintenance or improvement of such parish road, the Cooperative shall, at the request of the Police Jury, relocate such poles or structures at its own expense.

SECTION 3. BE IT FURTHER ORDAINED, etc., that the Parish shall make and adopt all ordinances necessary to protect the property and property rights of the Cooperative owned and operated under this franchise.

SECTION 4. BE IT FURTHER ORDAINED, etc., that this ordinance, the public health and welfare and the public necessity requiring it, shall take effect from and after its adoption.

SECTION 5. BE IT FURTHER ORDAINED, etc., that this franchise shall be for a period of twenty-five (25) years from the date hereof, and upon exercise by the Cooperative of any of the privileges granted by this franchise, it shall be irrevocable.

WHEREUPON, in open session said Ordinance was read and considered section by section and as a whole.

\_\_\_\_\_ seconded the motion to adopt the Ordinance.

The President ordered a vote of the yeas and nays on its final passage, and upon roll call, such votes where as follows:

For the adoption of the Ordinance (yeas): \_\_\_\_\_

Against the adoption of the Ordinance (nays): \_\_\_\_\_

Absent: \_\_\_\_\_

Present but not voting: \_\_\_\_\_

Whereupon the President declared, such legally passed and adopted on this the 7<sup>th</sup> of October, 2020.

Approved:

\_\_\_\_\_  
Scott Davidson, President

\_\_\_\_\_  
Dwayne R. Woodard, Secretary-Treasurer

I, Dwayne R. Woodard, certify that the foregoing is a true and correct copy of the original Ordinance adopted by the President and members of the Police Jury of Claiborne Parish, Louisiana, at a lawful meeting held on October 7th, 2020, with a quorum present, and that the same is now in full force and effect.

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Police Jury Secretary-Treasurer  
Parish of Claiborne, Louisiana