

ORDINANCE NO. 2025-1

CONSUMERS ENERGY COMPANY ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right and authority to construct, maintain and commercially use electric lines and related facilities including but not limited to towers, masts, poles, crossarms, guys, wires and transformers on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local electric business in the TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, for a period of thirty years.

THE TOWNSHIP OF SANDSTONE ORDAINS:

SECTION 1. GRANT and TERM. The TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, hereby grants to Consumers Energy Company, its successors and assigns, hereinafter called "Consumers" the right and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, wires and transformers on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local electric business in the TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONDITIONS. No public place used by Consumers shall be obstructed longer than necessary during construction or repair, and shall be restored to the same order and condition as when work was commenced. All of Consumers' electric lines and related facilities shall be placed as not to unnecessarily interfere with the public's use of public places. Consumers shall have the right to trim or remove trees if necessary in the conducting of such business.

SECTION 3. HOLD HARMLESS. Consumers shall save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the lines and related facilities hereby authorized. In case any action is commenced against the Township on account of the permission herein given, Consumers shall, upon notice, defend the Township and its representatives and hold them harmless from all loss, costs and damage arising out of such negligent construction and maintenance.

SECTION 4. EXTENSIONS. Consumers shall construct and extend its electric distribution system within said Township, and shall furnish electric service to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 5. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive.

SECTION 6. RATES and CONDITIONS. Consumers shall be entitled to provide electric service to the inhabitants of the Township at the rates and pursuant to the conditions as approved by the Michigan Public Service Commission. Such rates and conditions shall be subject to review and change upon petition to the Michigan Public Service Commission.

SECTION 7. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by either party. Upon revocation this ordinance shall be considered repealed and of no effect past, present or future.

SECTION 8. MICHIGAN PUBLIC SERVICE COMMISSION JURISDICTION. Consumers remains subject to the reasonable rules and regulations of the Michigan Public Service Commission applicable to electric service in the Township and those rules and regulations preempt any term of any ordinance of the Township to the contrary.

SECTION 9. REPEALER. This ordinance, when enacted, shall repeal and supersede the provisions of any previous Consumers' electric franchise ordinance adopted by the Township including any amendments.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect on publication.

We certify that the foregoing Franchise Ordinance was duly enacted by the Township Board of the TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, on the 13th day of January, 2025.

Gary W. Britten, Township Supervisor

Attest:

I, Kimberly M. Britten, Clerk of the TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, DO HEREBY CERTIFY that the ordinance granting Consumers Energy Company, an electric franchise, was properly adopted by the Township Board of the TOWNSHIP OF SANDSTONE, JACKSON COUNTY, MICHIGAN, and that all proceedings were regular and in accordance with all legal requirements.

Kimberly M Britten, Township Clerk

Dated: January 13, 2025

CERTIFICATE OF POSTING AND PUBLICATION

I hereby certify that:

- 1. The proposed Ordinance was introduced for a *first reading* at the Sandstone Charter Township Board of Trustees meeting on December 9, 2024, which meeting was duly scheduled and noticed. The complete text of the proposed Ordinance was posted at the Township Clerk's office and on the Township's website. The Notice set forth below was duly published in the Morning Star newspaper, a newspaper that circulates within Sandstone Charter Township, on December 27, 2024. An Affidavit of Posting from the newspaper publisher is attached.

Notice of First Reading of Proposed Franchise Ordinance
Sandstone Charter Township

Sandstone Charter Township held a First Reading of the Consumers Energy Company Electric Franchise Ordinance No. 2025-1, at the Board of Trustees Meeting on Monday, December 9, 2024. The Second Reading and Board consideration of adoption of the proposed Ordinance No. 2025-1 will be January 13 at the Board of Trustees Meeting at 6:00 P.M.

The purpose of the proposed Ordinance is to grant Consumers Energy Company “the right and authority to construct, maintain and commercially use electric lines and related facilities” in Sandstone Charter Township for a term of 30 years

A complete copy of the Ordinance is posted for public review at the Sandstone Township Office and on the Sandstone Township website at <https://sandstonetownship.org/>.

Kimberly M. Britten, Clerk, Sandstone Charter Township

- 2. The proposed Ordinance was introduced for a *second reading and final adoption* at the Sandstone Charter Township Board of Trustees meeting on January 13, 2025, which meeting was duly scheduled and noticed. The roll call vote on final adoption was as follows:
 Yeas: Hale, VanWinkle, K. Britten, Marks, Noble, Britten
 Nays: None
 Absent: Crisenbery

The above is a true copy of Ordinance 2025-1 as finally adopted. The complete text of the adopted Ordinance was posted at the Township Clerk's office and on the Township's website. The Notice set forth below was duly published in the Morning Star newspaper, a newspaper that circulates within Sandstone Charter Township, on January 17, 2025. An Affidavit of Posting from the newspaper publisher is attached.

SANDSTONE CHARTER TOWNSHIP
LEGAL NOTICE

Ordinance 2025-1 – Consumers Energy Franchise Ordinance

The Township Board at its regular meeting on January 13, 2025 approved for final adoption Ordinance 2025-01 to grant Consumers Energy Company “the right and authority to construct, maintain and commercially use electric lines and related facilities” in Sandstone Charter Township for a term of 30 years.

A complete copy of the ordinance may be examined at the Sandstone Charter Township office, 7940 County Farm Road, Parma, Michigan 49269 (517.784.4712) between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday. The ordinance is also posted in full on the township website at <https://sandstonetownship.org/>.

Kimberly M. Britten, Sandstone Charter Township Clerk

ATTEST:

Sandstone Charter Township Clerk

Dated: _____