

ORDINANCE NO. _____

**AN ORDINANCE AMENDING WILLMAR ORDINANCE NO. 1192
BY ESTABLISHING A FRANCHISE FEE**

The City Council of the City of Willmar does ordain as follows:

Section 1. ESTABLISHMENT OF FRANCHISE FEE

Willmar Municipal Ordinance No. 1192 is amended by adding the following section:

For the use of the public streets, public alleys, and other municipal property for the construction and maintenance of underground gas mains and appurtenances thereto, a franchise fee is hereby imposed and shall be computed as follows:

<u>Center Point Energy Rate Class</u>	<u>Monthly Fee</u>
Residential	\$ 2.00
Commercial A	3.50
Commercial B	8.00
Commercial C	15.00
SVDF A	30.00
SVDF B	40.00
LVDF	95.00

The franchisee shall pay the above fees quarterly.

Section 2. PAYMENTS. Franchise fees are to be collected by the Company and submitted to the City as follows:

January – March collections are due by April 30
April – June collections are due by July 31
July – September collections are due by October 31
October – December collections are due by January 31

Section 3. REVIEW. The City Council shall review this Ordinance within 30 days of each biennial anniversary of its adoption at either a work session or a regular session. Failure to review this Ordinance shall not in any way invalidate or modify the Ordinance.

Section 4. PERMIT FEES. The franchise fee shall be payable to the City by the franchisee in lieu of permit or other fees otherwise imposed on the franchisee in relationship to its operations as a public utility in the City provided the following requirements are met:

- A. The company applies for all permits, licenses and similar documentation required by City's Ordinances, Rules and Regulations.
- B. The company requests the fee to be waived at the time of application.
- C. Franchisee will be required to pay all fees imposed by the International Building Code and other fees imposed for construction, repair or improvement of buildings in the City.

Section 5. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication or on February 1, 2008, whichever date is later.

This Ordinance introduced by Councilman Anderson.

This Ordinance introduced on December 3, 2007.

This Ordinance published on December 29, 2007.

This Ordinance given a hearing on _____.

This Ordinance adopted on _____.

This Ordinance published on _____.