

ORDINANCE 2012-5

ORDINANCE OF THE TOWNSHIP OF OCEAN, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS FOR NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES, AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY OR ALL OF THE ROADS, STREETS, AVENUES, HIGHWAYS AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF OCEAN

WHEREAS New Jersey Natural Gas Company obtained the consent of this municipality to continue to exercise its franchise rights by resolution dated September 24, 2009, to lay and maintain gas mains, pipes and service pipes in and under the surface of any or all of the roads, streets, avenues, highways and public places, for the purpose of furnishing gas therein; and

WHEREAS said consent is limited to a period of five (5) years, and, by the terms thereof, expires September 24, 2010; and

WHEREAS, New Jersey Natural Gas Company is desirous of obtaining consent of the Municipality to continue service the Municipality;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Ocean, in the County of Ocean, and State of New Jersey, as follows:

1. New Jersey Natural Gas Company be and is hereby authorized to lay, maintain and operate its conductors, mains, and pipes, together with the appurtenances thereto, in all the public streets, alleys squares and public places in this municipality which are under the control and jurisdiction of the Township of Ocean for the purpose of conducting, transmitting and distributing gas, or any mixture of gases of various types including natural gas, for a period of twenty (20) years from the date hereof, upon the following terms and conditions:
2. New Jersey Natural Gas Company shall agree that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the streets, alley, squares or roadways shall be restored to the same condition as existed prior to the opening thereof; and
3. New Jersey Natural Gas company shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner;
4. New Jersey Natural Gas Company shall file with the Clerk of this Municipality, within sixty (60) days form the date hereof, its acceptance of the terms and provisions of the franchise consent herein granted and its agreement to be bound by the terms and provisions thereof.

5. The terms of the franchise incorporated within this ordinance shall not become effective until approved by the Board of Public Utilities of the State of New Jersey.

BE IT FURTHER ORDAINED that prior to the beginning of any street openings or excavations for the purposes aforesaid, New Jersey Natural Gas Company shall apply, in writing, on forms to be supplied by New Jersey Natural Gas Company, to the Township Clerk, acting as agent of this governing body for permission to make any street opening or excavation.

This is to certify that the attached is a true copy of the Ordinance adopted by the Township Council of the Township of Ocean at a meeting held on March 8, 2011.

Diane B. Ambrosio
Township Clerk