



TOWN OF FARMVILLE

CODE OF ORDINANCES

CHAPTER 28 – FRANCHISES AND AGREEMENTS FOR UTILITIES

Section 1 PURPOSE

The purpose of this chapter is to document and to specify the terms of utility franchises and utility agreements. The complete documentation of the franchises, the agreements and any amendments will be maintained in a book separate from the Town Code, by the Town Clerk.

Section 2 NORTH CAROLINA NATURAL GAS

An Ordinance Renewing and Extending the Right, Privilege, and Franchise of North Carolina Natural Gas Company to Distribute Natural Gas in the Town of Farmville for ten (10) years. (Adopted by the Farmville Board of Commissioners, January 8, 1980)

Section 3 CABLE TV

An Ordinance of the Town of Farmville Granting a Non-Exclusive Franchise to Alert Cable TV of North Carolina, Inc. to Erect, Maintain and Operate a Cable Television Service (CATV Service) in the Town of Farmville, North Carolina, Setting Forth the Standards and Conditions Accompanying the Grant or Franchise and Regulating the Same. (Adopted by the Farmville Board of Commissioners, October 6, 1981)

Section 4 PROJECT POWER SALES

An Ordinance of the Town of Farmville, North Carolina, Approving the Initial Project and Authorizing the Execution and Delivery of a Project Power Sales Agreement, A Supplemental Power Sales Agreement, and a Covenant Not to Sue, Indemnification and Release. (Adopted by the Farmville Board of Commissioners, October 6, 1981)

Section 5 PITT COUNTY DISASTER RELIEF AND ASSISTANCE PLAN

Pitt County Disaster Relief and Assistance Plan - Annex A, Emergency Management Ordinance and Agreement - Appendix 1, Pitt County EM Ordinance - Appendix 2, Mutual Aid Agreement

Section 6 JOINT MUNICIPAL ASSISTANCE AGENCY

WHEREAS, the Town of Farmville (herein "the Municipality) owns and operates an electric distribution system for the purpose of furnishing electric power and energy to

customers in the service area of the Municipality; and

WHEREAS, the General Assembly of North Carolina, by the enactment of Chapter 609 of the Session Laws of 1983, has empowered the governing bodies of any two or more municipalities to create a joint municipal assistance agency for the purpose, among other things, of providing aid and assistance to municipalities in the construction, ownership, maintenance, expansion and operation of their electric systems; and

WHEREAS, the Board of Commissioners of the Municipality (hereinafter sometimes referred to as "the Governing Board") has taken into consideration the economies, efficiencies, and other benefits which might be achieved from participation in such an agency and has determined that it is desirable for the Municipality to join such agency.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Town of Farmville:

Section 1

The Governing Board hereby finds that participation in the proposed joint municipal assistance agency will result in economies, efficiencies and other benefits with respect to the construction, ownership, maintenance, expansion and operation of the Municipality's electric system and that participation in such agency by the Municipality as a member is desirable.

Section 2

That the Municipality's Commissioner or Alternate Commissioner hereinafter named be and they are hereby authorized and directed to take such action as may be necessary or desirable to effect the Municipality's membership in the joint municipal assistance agency to be formed pursuant to an application to the Secretary of State of the State of North Carolina by two or more Commissioners from the municipalities proposed as members of the same.

Section 3

That the names of the municipalities which are proposed to be the initial members of said joint municipal assistance agency are:

Albemarle	Hamilton	Oak City
Apex	Hertford	Pikeville
Ayden	High Point	Pinetops
Belhaven	Hobgood	Pineville
Benson	Hookerton	Red Springs
Black Creek	Huntersville	Robersonville
Cherryville	Kinston	Rocky Mount
Clayton	LaGrange	Scotland Neck
Concord	Landis	Selma
Cornelius	Laurinburg	Sharpsburg

Dallas	Lexington	Shelby
Drexel	Lincolnton	Smithfield
Edenton	Louisburg	Southport
Elizabeth City	Lucama	Stantonsburg
Farmville	Lumberton	Statesville
Forest City	Macclesfield	Tarboro
Fountain	Maiden	Wake Forest
Fremont	Monroe	Walstonburg
Gastonia	Morganton	Washington
Granite Falls	New Bern	Wilson
Greenville	ONewton	Windsor
		Winterville

Section 4

The failure of any one or more of the proposed initial members to actually join the joint municipal assistance agency shall in o way impair or affect the findings or determinations herein made or the authority herein granted.

Section 5

The Municipality does hereby authorize the transfer to the newly formed joint municipal assistance agency of its interest in such of the assets of ElectriCities of North Carolina, a voluntary association, as may be determined by the Board of Directors of ElectriCities of North Carolina.

Section 6

That Richard N. Hicks is hereby appointed as the Municipality's Commissioner to the joint municipal assistance agency and Wayne Cochran is hereby appointed as the Municipality's Alternate Commissioner to the joint municipal assistance agency, such appointees to serve at the pleasure of the Governing Board and until their successors are appointed by the Governing Board.

Section 7

That copies of this Ordinance shall be certified to the Secretary of State of the State of North Carolina for the purpose of evidencing the determination and findings required by G.S. §159B-37 and for the purpose of evidencing the appointment of the Commissioner and Alternate Commissioner herein made.