

**TOWN OF RED CLIFF, COLORADO  
ORDINANCE 6, SERIES 2015**

**AN ORDINANCE GRANTING A NON-EXCLUSIVE UTILITY SERVICE FRANCHISE TO PUBLIC SERVICE COMPANY OF COLORADO AND FIXING THE CONSIDERATION, TERMS AND CONDITIONS THEREOF.**

**WHEREAS**, the franchise granted to Public Service Company of Colorado by the Town of Red Cliff (“Town”) effective July 1, 1990, expires on July 1, 2015;

**WHEREAS**, the Town and Public Service Company of Colorado have completed negotiations for a new franchise agreement in the form of the Franchise Agreement Between the Town of Red Cliff Colorado and Public Service Company of Colorado attached to this Ordinance (“Franchise Agreement”); and,

**WHEREAS**, the Town and Public Service Company of Colorado desire to enter into a new franchise agreement for a period of twenty years for such consideration and upon such terms and conditions as set forth in the Franchise Agreement.

**NOW, THEREFORE, THE TOWN OF RED CLIFF ORDAINS:**

Section 1: Grant of Franchise. The Town hereby approves the Franchise Agreement in such form as attached to this Ordinance and authorizes the grant of franchise contained and described therein for such consideration and upon such terms and conditions as set forth in the Franchise Agreement. The new utility service franchise granted by this Ordinance is for a period of twenty years, commencing on July 19, 2015, and terminating on July 18, 2035.

Section 2: Authorization. The Mayor, Town Clerk and Town Attorney are authorized to execute the Franchise Agreement on or after the effective date of this Ordinance.

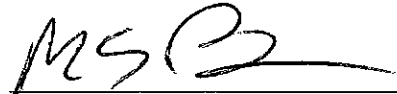
Section 3: Declaration. The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary and proper to protect the public health, safety and welfare of the Town of Red Cliff and its inhabitants.

Section 4: Severability. If any section, paragraph, clause, provision or part of this Ordinance is for any reason held to be invalid or unenforceable, the remainder of this Ordinance will continue in full force and effect, it being the intent of the Board of Trustees that this Ordinance would have been adopted even if such invalid or unenforceable matter had not been included therein. It is further declared that if any section, provision or part of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance and the application thereof to other persons will not be affected thereby.

Section 5: Effective Date. This Ordinance will become effective thirty (30) days after publication following final passage.

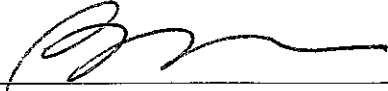
INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING AND ORDERED POSTED IN FULL THIS 2ND DAY OF JUNE 2015. A public hearing on the SECOND READING of this Ordinance will be held at the regular meeting of the Board of Trustees of the Town of Red Cliff on the 16TH day of JUNE 2015 at 7:00 p.m. in the Town Hall of the Town of Red Cliff.

TOWN OF RED CLIFF, COLORADO



M. Scott Burgess, Mayor

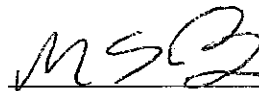
ATTEST:



Barb Smith, Town Administrator

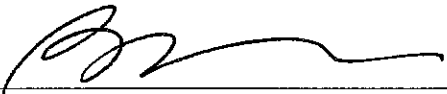
ADOPTED AND ORDERED PUBLISHED on this 16th day of June 2015.

TOWN OF RED CLIFF, COLORADO



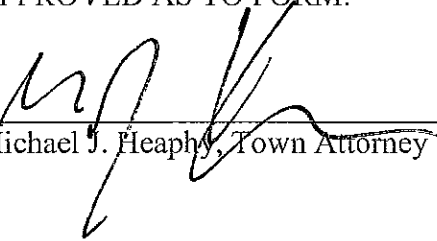
M. Scott Burgess, Mayor

ATTEST:



Barb Smith, Town Administrator

APPROVED AS TO FORM:



Michael J. Heaphy, Town Attorney