

ORDINANCE NO. 2, 2014

AN ORDINANCE GRANTING RENEWED CONSENT AND PERMISSION TO SOUTH JERSEY GAS COMPANY TO USE THE PUBLIC STREETS TO FURNISH GAS FOR LIGHT, HEAT AND POWER IN THE CITY OF LINWOOD.

WHEREAS, South Jersey Gas Company, a corporation of the State of New Jersey, provides natural gas service to the City of Linwood pursuant to the municipal consent first granted to South Jersey Gas Company in that certain Ordinance passed on October 14, 1947; and

WHEREAS, South Jersey Gas Company now seeks, pursuant to N.J.S.A. 48:3-15, the consent of the City of Linwood to renew Section #2 of the Ordinance passed on October 14, 1947 applicable to the use of the streets in the City of Linwood by adopting the following Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

Section 1. That exclusive consent and permission is hereby renewed and granted to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the City of Linwood in the manner prescribed by N.J.S.A. 48:9-21, and subject to regulations imposed by ordinance or resolution with respect to the opening of streets and public places, subject to approval of such consent and permission by the Board of Public Utilities.

Section 2. This consent is granted for the entire geographical area of the City of Linwood and extend to the boundaries of the City of Linwood and shall remain in effect for a period of fifty (50) years from the date of final adoption of this Ordinance.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon posting, publication, final passage in the manner prescribed by law, and acceptance by South Jersey Gas Company.

FIRST READING: January 22, 2014
PUBLICATION: January 27, 2014
PASSAGE: February 12, 2014

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on January 22, 2014 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on February 12, 2014.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR