

BOROUGH OF EAST PROSPECT
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 1995 - 3

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF EAST PROSPECT, YORK COUNTY, PENNSYLVANIA, AUTHORIZING AND GRANTING A PERPETUAL FRANCHISE TO THE YORK WATER COMPANY TO USE WITHOUT CHARGE THE STREETS, HIGHWAYS AND ALLEYS OF THE BOROUGH OF EAST PROSPECT PERPETUALLY TO LOCATE AND MAINTAIN ITS FACILITIES IN BOROUGH STREETS, SUBJECT TO CERTAIN CONDITIONS.

The Borough Council of the Borough of East Prospect, York County, Pennsylvania, does hereby **ENACT** and **ORDAIN** as follows:

Section 1. The Borough of East Prospect does hereby grant to The York Water Company a perpetual franchise to use without charge the streets, highways and alleys of the Borough of East Prospect forever hereafter for the laying, maintenance, use, repair and relaying of such mains, pipes and other facilities deemed necessary or desirable by The York Water Company at all times for the supplying of water in the Borough of East Prospect and territories adjacent thereto.

Section 2. This grant is subject to the condition that The York Water Company shall restore such streets, highways and alleys to the condition existing prior to performing any such work as described in **Section 1.** hereof.

Section 3. Nothing herein contained shall be deemed in derogation of the police power of The Borough of East Prospect.

Section 4. It is declared that the enactment of this Ordinance is necessary for the protection, benefit, preservation of the health, safety and welfare of inhabitants of this Borough.

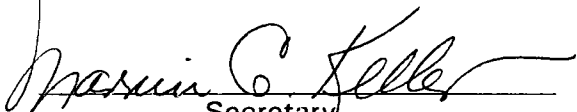
Section 5. All ordinances and parts of ordinances inconsistent herewith expressly are repealed.

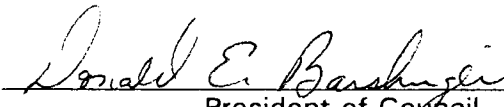
Section 6. The franchise herein granted shall become effective upon final settlement between this Borough and The York Water Company for the sale by the Borough to The York Water Company of its water distribution system and the payment of the purchase price by The York Water Company to the Borough pursuant to the Agreement between them dated December 6, 1994.

DULY ENACTED AND ORDAINED this 26 day of September, 1995.

ATTEST:


BOROUGH COUNCIL OF THE BOROUGH OF EAST PROSPECT, York County, Pennsylvania


Secretary

By: 
President of Council

(SEAL)

EXAMINED AND APPROVED this 28 day of September, 1995.


Mayor