

ORDINANCE NO. 25-03

AN ORDINANCE GRANTING TO WEST RIVER TELECOMMUNICATIONS COOPERATIVE, IT'S SUCCESSORS AND ASSIGNS, THE NON-EXCLUSIVE RIGHT TO USE AND OCCUPY THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA, FOR THE PURPOSE OF CONSTRUCTION, MAINTAINING AND OPERATING A TELECOMMUNICATIONS SYSTEM WITHIN SAID CITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA, AS FOLLOWS:

SECTION 1. That West River Telecommunications Cooperative, its successors, and assigns are hereby granted the non-exclusive right to use and occupy the streets, alleys, and other public places of the City of Hebron, for a term of twenty (20) years from the effective date hereof, for the purpose of constructing, maintaining and operating a telecommunications system within said city.

SECTION 2. That the rights herein granted are subject to the exercise of the police power as the same now is or may hereafter be conferred upon said city.

SECTION 3. That this ordinance shall be in full force and effect and shall constitute a binding contract between the City of Hebron and West River Telecommunications Cooperative, when it shall have been enacted into law and when the provisions hereof shall have been accepted by said West River telecommunications Cooperative, and such acceptance filed with the Hebron Auditor.

SECTION 4. During the construction, maintenance or enlargement of any part of said telecommunications system, said Grantee shall not unnecessarily impede or block travel in said streets and highways in said City and shall leave all streets, highways, alleys, sidewalks, curbs, lanes and public places and all grounds disturbed by said construction in good condition upon the completion of said work. The City reserves the right to make and adopt, and the rights and privileges hereby granted shall at all times be and remain subject to such reasonable regulations of a police nature as it may deem necessary for the best interests of the City, but the City will not by any such regulations or by acts of its own or agents do anything to prevent or interfere with the Grantee carrying on its business in accordance with the franchise hereby granted.

SECTION 5. In case of disturbance of any street, sidewalk, alley, public way, or paved area, the Grantee shall, at its own cost and expense and in manner approved by the City Public Works Superintendent or Engineer, replace and restore such street, sidewalk, alley, public way, or paved areas in as good condition as before the work involving such disturbance was done. Grantee shall not be required to pay a fee for street openings.

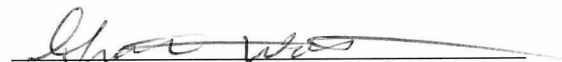
SECTION 6. The City reserves the right to impose a franchise fee pursuant to NDCC Chapter 49-21 during the term of this non-exclusive franchise.

SEVERABILITY. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed and rescinded.

SAVINGS CLAUSE. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and approval.

CITY OF HEBRON


GRANT WALTH - Mayor

ATTEST:


ERIN McCUTCHAN - City Auditor

Introduction and First Reading:	July 8, 2025
Second Reading:	August 12, 2025
Final Passage:	August 12, 2025
Publication Date:	Not required