

Article V. Oil Pipelines Systems Generally.

Division 1. Atlantic Richfield Company of Pennsylvania.

Sec. 21-41. Grant of franchise.

The right, privilege and franchise are hereby granted to Atlantic Richfield Company, a Delaware corporation, to construct from time to time and to lay, maintain, operate, renew, repair, change the size of petroleum, oil, gas and hydrocarbon substances, gasoline and other refined petroleum products, water, waste water, and other liquid substances, together with all manholes, valves, traps and appurtenances, including cathodic protection facilities, necessary or convenient for the operation of the grantee's business in, under, along or across any and all public streets, ways and alleys now or hereafter dedicated to public use in the incorporated territory of the City of Paramount, County of Los Angeles, State of California. (Ord. No. 903)

Sec. 21-42. Term of franchise.

The term of this franchise shall be 20 years after the effective date of this Ordinance, or until the same shall be sooner voluntarily surrendered or abandoned by the grantee, or until the State of California or some municipal or public corporation thereunto duly authorized by law shall sooner purchase by voluntary agreement or condemn and take under the power of eminent domain, all property actually used or useful in exercise of such franchise, or until the franchise shall sooner be forfeited for non-compliance with the provisions hereof by the grantee. (Ord. No. 903)

Sec. 21-43. Compensation to city.

As consideration for the franchise granted herein, the Grantee shall pay to the City the following fees:

- (a) Base annual fee: A base annual fee shall be paid within 60 days after the end of each calendar year and during the life of the franchise for each and every year, including the year of granting the franchise, according to the "franchise payment period" as set forth in California Public Utilities Code Section 6231.5 (3), by multiplying the pipe length expressed in feet by the applicable base rate as follows:

Pipe Size (Internal) Diameter in inches	Base Rate Per Lineal Foot
0-4	\$0.088
6	0.132
8	0.176
10	0.220
12	0.264
14	0.308
16	0.352
18	0.396
20	0.440
22	0.484
24	0.528
26	0.572
28	0.616
30	0.660

For pipelines with an internal diameter not listed above, the fees shall be in the same proportion to the fees of a twelve (12) inch diameter pipe as the diameter of the unlisted pipe is to twelve (12) inches. The formula used in arriving at the annual fee shall apply to any existing, replacement, modification or extension of the pipeline. (Ord. No. 903)

(b) Adjustments:

- (1) The amount of the fee provided for in subsection (a) of this Section, shall be adjusted at the time payment is due by multiplying the base fee by the Consumer Price Index, All Urban Consumers for the Los Angeles - Anaheim - Riverside area as published by the United States Department of Labor, Office of Information for the month of September immediately preceding the month in which payment is due and payable, and divided by the Consumer Price Index for June 30, 1989 = 100.0. (Ord. No. 903)
- (2) In no event shall an annual fee be charged which is less than the base annual fee amount established by subsection (a) of this Section. (Ord. No. 903)

- (3) The indices specified in paragraph 1 of this subsection (b) are calculated and published by the United States Department of Labor, Bureau of Labor Statistics. If the Bureau discontinues the calculation or publication of the Consumer Price Index, All Urban Consumers for the Los Angeles - Anaheim - Riverside area (June 30,1998=100), and no transposition table is available to convert to another index, then the amount of each annual adjustment in base fees shall be computed by using a comparable governmental index. (Ord. No. 903)
- (c) Proration of payments: In the event of abandonment of facilities, or in the event of removal of such facilities by the Grantee, or in the event of the grant of a franchise with an initial franchise payment period of less than one year, the annual franchise fee required under subsections (a) and (b) of Section 4 shall be prorated for the calendar year in which such removal or abandonment or grant occurs as of the end of the calendar month in which removed, abandoned or granted. (Ord. No. 903)

Sec. 21-44. Construction.

- (a) Location of franchise property: The location of any franchise property installed hereunder shall be first approved by the Public Works Director. (Ord. No. 903)
- (b) Quality control: All franchise property installed and maintained hereunder shall be constructed in a good workmanlike manner and in conformity with all ordinances, rules or regulations now or hereafter adopted or prescribed by the City. All pipelines installed shall conform to applicable U.S.A. Standard Code for Pressure Piping, in its latest revision. (Ord. No. 903)
- (c) Street excavations: Grantee shall have the right to make all necessary excavations in the streets for the purposes granted in this franchise, but nothing herein contained shall relieve grantee from the provisions of any ordinance or law that may be in force at the time, requiring permits to be obtained for street excavations before such work is commenced.

All excavation shall be made and refilled in strict compliance with all City ordinances that may be in effect at the time of the performance of the work and shall be so made as not to interfere unreasonably with the free use of the streets by the public.

Upon completion of the work for which street excavations are made, all portions of the street which have been excavated or otherwise damaged by such excavation work shall be restored to as good condition as they were in before the commencement of such work, to the satisfaction of the Public Works Director. (Ord. No. 903)

- (d) Emergency work: The grantee shall promptly repair any leaks or breaks in pipelines and conduits and, if any portion of any street shall be damaged by reason of breaks or leaks in any pipe or conduits constructed under this franchise, the grantee shall, at its own expense, take immediate steps to repair any such damage and restore such street to as good condition as it was before such break or leak, to the satisfaction of the Public Works Director. Such emergency repair of franchise property may be commenced without prior permit; provided, however, that grantee shall, by no later than the next normal working day, apply to the Public Works Director for a permit authorizing such emergency work. (Ord. No. 903)

- (e) Changes required by public improvements: If the Public Works Director shall determine that it is reasonable and necessary that franchise property be temporarily disconnected, abandoned, temporarily or permanently removed, temporarily or permanently relocated or substitute facilities installed, in order that the City, when acting in a governmental capacity, may relocate, change grade, construct, use, maintain, change or modify any street improvement or City-owned utility facilities, said Public Works Director shall give notice, in writing, to the grantee. Within thirty (30) days after the service of such notice upon the grantee, the grantee shall at its sole cost and expense begin and diligently prosecute the necessary work to completion. Upon failure to do so, the Public Works Director may cause said work to be completed and the grantee shall immediately pay for the same upon presentation of an itemized account of the cost thereof.

In the event that any franchise property is required to be abandoned in or permanently removed from any street or portion thereof affected, the Public Works Director shall approve such additional street location or locations as may be necessary to permit the installation of substitute facilities. (Ord. No. 903)

- (f) Removal or abandonment of facilities: At the time of expiration, revocation or termination of this franchise or of the permanent discontinuance of the use of its facilities, or any portion thereof, the grantee shall, within thirty (30) days thereafter, make a written application to the Public Works Director for authority either: (1) to abandon all, or a portion, of such facilities in place, or (2) to remove all, or a portion, of such facilities. Such application shall describe the facilities desired to be abandoned by reference to the map or maps required by Section 21-52 of this Ordinance and shall also describe with reasonable accuracy the relative physical condition of such facilities. Thereupon, the Public Works Director shall determine whether any abandonment or removal which is thereby proposed may be effected without detriment to the public interest or under what conditions such proposed abandonment or removal may be safely effected and shall then notify the grantee, according to such requirements as shall be specified in the Public Works Director's order, and within ninety (90) days thereafter, to either:
- (1) Remove all or a portion of such facilities, or
 - (2) Abandon in place all or a portion of such facilities.

If any facilities to be abandoned in place subject to prescribed conditions shall not be abandoned in accordance with all such conditions, then the Public Works Director may make additional appropriate orders, including if he deems desirable, an order that the grantee shall remove all such facilities in accordance with applicable requirements. In the event the grantee shall fail to remove any facilities which it is obligated to remove in accordance with such applicable requirements within such time as may be prescribed by the Public Works Director, then the City may remove such facilities at the grantee's expense and the grantee shall pay to the City the actual cost thereof to the City plus twenty-five per cent (25%) for overhead. (Ord. No. 903)

Sec. 21-45. Guarantee and responsibility.

- (a) **Bond:** This franchise is granted on the condition that the grantee shall at all times during the life of this franchise keep on file with the City a Faithful Performance Bond running to the City in the sum of \$5,000.00 executed by a reputable surety entitled to do business in the State of California. The said bond shall contain the conditions that the grantee shall well and truly observe, fulfill and perform each and every term and condition of this franchise, and that in case of any breach of any condition of said bond, the whole amount of the sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and from the sureties upon said bond. The provisions of this section shall not exempt the grantee from compliance with any of the laws of the City in force during the term thereof which required the grantee to post a bond other than the bond required by this section.

However, where the grantee desires to show other evidence of financial responsibility for faithful performance, acceptable to the Public Works Director, the above Bond requirements may be waived by said Public Works Director. (Ord. No. 903)

- (b) **Indemnification:** The grantee, by the acceptance or use of the franchise hereby granted, agrees to keep and save free and harmless the City, its officers, agents or employees against any and all claims, demands or causes of action which may be asserted, prosecuted or established against them, or any of them, for damage to persons, or property, of whatsoever nature, arising out of the use by it of the City streets hereunder or arising out of any of the operations or activities of the grantee pursuant to this franchise, whether such damage shall be caused by negligence or otherwise, excepting therefrom, however, any claim, demand or cause of action, which may be asserted prosecuted or established against the City under the provisions of the Workmen's Compensation Act for injury to, or the death of any of the City's officers, agents or employees while acting within the scope of their employment and further excepting therefrom any claim, demand or cause of action arising out of the negligence of the City, its officers, agents, and/or employees.

The grantee shall further deposit with the City Clerk a Certificate of Insurance certifying that the grantee has in effect liability insurance for the protection of the City in connection with grantee's activities in the principal amount of Two Million Dollars (\$2,000,000). (Ord. No. 903)

Sec. 21-46. Compliance with other regulations.

The grantee agrees to comply with all lawful ordinances, rules and regulations heretofore or hereafter adopted by the City Council governing the construction, maintenance and operation of the grantee's facilities which are installed or maintained under this franchise, and further with all provisions of the Paramount Municipal Code. (Ord. No. 903)

Sec. 21-47. Franchise non-exclusive.

The granting of this franchise shall not be construed to prevent the City from granting any identical or similar franchise to any person other than the grantee. (Ord. No. 903)

Sec. 21-48. Right of eminent domain preserved.

The grant of this franchise shall not in any way or to any extent impair or affect the right of the City to acquire the property of the grantee either by purchase or through the exercise of the right of eminent domain. (Ord. No. 903)

Sec. 21-49. Inspection of records.

At all reasonable times, the grantee shall permit any duly authorized representative of the City to examine all property of grantee which is operated or maintained pursuant to this franchise and to examine any and all books, accounts, papers, maps and other records with relation thereto. (Ord. No. 903)

Sec. 21-50. Franchise not assignable.

The grantee shall not sell, transfer, assign or lease this franchise without the consent of the City; provided, however, that this franchise may be transferred in trust or hypothecated for the purpose of securing any indebtedness of grantee. If the requested assignment is to an affiliate or to a joint venture in which grantee is a partner, City shall not unreasonably withhold its consent to such assignment. As a condition of assignment, assignee agrees to be bound by the terms and conditions of this franchise. (Ord. No. 903)

Sec. 21-51. Filing of maps.

Within ninety (90) days after each anniversary date of the effective date of this Ordinance the grantee shall file with the City a map or set of maps showing in detail the exact location and size of all facilities which have been installed or abandoned subsequent to the filing of the last preceding map or set of maps. (Ord. No. 903)

Sec. 21-52. Acceptance.

This franchise is granted and shall be held and enjoyed only upon the terms and conditions herein contained, and the grantee shall, within thirty (30) days after the adoption of this Ordinance granting said franchise, file with the City Clerk of the City of Paramount a written acceptance of such terms and condition. (Ord. No. 903)

Sec. 21-53.

Repealed by Ordinance No. 903.

Division 2. GATX Terminals Corporation

Sec. 21-54. Franchise granted.

The right, privilege and franchise are hereby granted to GATX Terminals Corporation, an Illinois corporation, to construct from time to time and to lay, maintain, operate, renew, repair, change the size of petroleum, oil, gas and hydrocarbon substances, gasoline and other refined petroleum products, water, waste water, and other liquid substances, together with all manholes, valves, traps and appurtenances, including cathodic protection facilities, necessary or convenient for the operation of the grantee's business in, under, along or across any and all public streets, ways and alleys now or hereafter dedicated to public use in the incorporated territory of the City of Paramount, County of Los Angeles, State of California. (Ord. Nos. 399, 921)

Sec. 21-55. Term of franchise.

The term of this franchise shall be 20 years after the effective date of this Ordinance, or until the same shall be sooner voluntarily surrendered or abandoned by the grantee, or until the State of California or some municipal or public corporation thereunto duly authorized by law shall sooner purchase by voluntary agreement or condemn and take under the power of eminent domain, all property actually used or useful in exercise of such franchise, or until the franchise shall sooner be forfeited for non-compliance with the provisions hereof by the grantee. (Ord. Nos. 399, 921)

Sec. 21-56. Compensation to city.

As consideration for the franchise granted herein, the Grantee shall pay to the City the following fees:

- (a) Base annual fee: A base annual fee shall be paid within 60 days after the end of each calendar year and during the life of the franchise for each and every year, including the year of granting the franchise, according to the "franchise payment period" as set forth in California Public Utilities Code Section 6231.5 (3), by multiplying the pipe length expressed in feet by the applicable base rate as follows:

Pipe Size (Internal) Diameter in inches	Base Rate Per Lineal Foot
6	0.132
8	0.176
10	0.220
12	0.264
14	0.308
16	0.352
18	0.396
0-4	\$0.088
20	0.440
22	0.484
24	0.528
26	0.572
28	0.616
30	0.660

For pipelines with an internal diameter not listed above, the fees shall be in the same proportion to the fees of a twelve (12) inch diameter pipe as the diameter of the unlisted pipe is to twelve (12) inches. The formula used in arriving at the annual fee shall apply to any existing, replacement, modification or extension of the pipeline.

(b) Adjustments:

- (1) The amount of the fee provided for in subsection (a) of this Section, shall be adjusted at the time payment is due by multiplying the base fee by the Consumer Price Index, All Urban Consumers for the Los Angeles - Anaheim - Riverside area as published by the United States Department of Labor, Office of Information for the month of September immediately preceding the month in which payment is due and payable, and divided by the Consumer Price Index for June 30, 1989 = 100.0.
- (2) In no event shall an annual fee be charged which is less than the base annual fee amount established by subsection (a) of this Section.

- (3) The indices specified in paragraph 1 of this subsection (b) are calculated and published by the United States Department of Labor, Bureau of Labor Statistics. If the Bureau discontinues the calculation or publication of the Consumer Price Index, All Urban Consumers for the Los Angeles - Anaheim - Riverside area (June 30,1998=100), and no transposition table is available to convert to another index, then the amount of each annual adjustment in base fees shall be computed by using a comparable governmental index.
- (c) Proration of payments: In the event of abandonment of facilities, or in the event of removal of such facilities by the Grantee, or in the event of the grant of a franchise with an initial franchise payment period of less than one year, the annual franchise fee required under subsections (a) and (b) of Section 4 shall be prorated for the calendar year in which such removal or abandonment or grant occurs as of the end of the calendar month in which removed, abandoned or granted.

(Ord. Nos. 399, 921)

Sec. 21-57. Construction generally.

- (a) Location of franchise property: The location of any franchise property installed hereunder shall be first approved by the Public Works Director.
- (b) Quality control: All franchise property installed and maintained hereunder shall be constructed in a good workmanlike manner and in conformity with all ordinances, rules or regulations now or hereafter adopted or prescribed by the City. All pipelines installed shall conform to applicable U.S.A. Standard Code for Pressure Piping, in its latest revision.
- (c) Street excavations: Grantee shall have the right to make all necessary excavations in the streets for the purposes granted in this franchise, but nothing herein contained shall relieve grantee from the provisions of any ordinance or law that may be in force at the time, requiring permits to be obtained for street excavations before such work is commenced.

All excavation shall be made and refilled in strict compliance with all City ordinances that may be in effect at the time of the performance of the work and shall be so made as not to interfere unreasonably with the free use of the streets by the public.

Upon completion of the work for which street excavations are made, all portions of the street which have been excavated or otherwise damaged by such excavation work shall be restored to as good condition as they were in before the commencement of such work, to the satisfaction of the Public Works Director.

- (d) Emergency work: The grantee shall promptly repair any leaks or breaks in pipelines and conduits and, if any portion of any street shall be damaged by reason of breaks or leaks in any pipe or conduits constructed under this franchise, the grantee shall, at its own expense, take immediate steps to repair any such damage and restore such street to as good condition as it was before such break or leak, to the satisfaction of the Public Works Director. Such emergency repair of franchise property may be commenced without prior permit; provided, however, that grantee shall, by no later than the next normal working day, apply to the Public Works Director for a permit authorizing such emergency work.

- (e) Changes required by public improvements: If the Public Works Director shall determine that it is reasonable and necessary that franchise property be temporarily disconnected, abandoned, temporarily or permanently removed, temporarily or permanently relocated or substitute facilities installed, in order that the City, when acting in a governmental capacity, may relocate, change grade, construct, use, maintain, change or modify any street improvement or City-owned utility facilities, said Public Works Director shall give notice, in writing, to the grantee. Within thirty (30) days after the service of such notice upon the grantee, the grantee shall at its sole cost and expense begin and diligently prosecute the necessary work to completion. Upon failure to do so, the Public Works Director may cause said work to be completed and the grantee shall immediately pay for the same upon presentation of an itemized account of the cost thereof.

In the event that any franchise property is required to be abandoned in or permanently removed from any street or portion thereof affected, the Public Works Director shall approve such additional street location or locations as may be necessary to permit the installation of substitute facilities.

- (f) Removal or abandonment of facilities: At the time of expiration, revocation or termination of this franchise or of the permanent discontinuance of the use of its facilities, or any portion thereof, the grantee shall, within thirty (30) days thereafter, make a written application to the Public Works Director for authority either: (1) to abandon all, or a portion, of such facilities in place, or (2) to remove all, or a portion, of such facilities. Such application shall describe the facilities desired to be abandoned by reference to the map or maps required by Section 21-64 of this Ordinance and shall also describe with reasonable accuracy the relative physical condition of such facilities. Thereupon, the Public Works Director shall determine whether any abandonment or removal which is thereby proposed may be effected without detriment to the public interest or under what conditions such proposed abandonment or removal may be safely effected and shall then notify the grantee, according to such requirements as shall be specified in the Public Works Director's order, and within ninety (90) days thereafter, to either:
- (1) Remove all or a portion of such facilities, or
 - (2) Abandon in place all or a portion of such facilities.

If any facilities to be abandoned in place subject to prescribed conditions shall not be abandoned in accordance with all such conditions, then the Public Works Director may make additional appropriate orders, including if he deems desirable, an order that the grantee shall remove all such facilities in accordance with applicable requirements. In the event the grantee shall fail to remove any facilities which it is obligated to remove in accordance with such applicable requirements within such time as may be prescribed by the Public Works Director, then the City may remove such facilities at the grantee's expense and the grantee shall pay to the City the actual cost thereof to the City plus twenty-five per cent (25%) for overhead.

(Ord. Nos. 399, 921)

Sec. 21-58. Guarantee and responsibility.

- (a) **Bond:** This franchise is granted on the condition that the grantee shall at all times during the life of this franchise keep on file with the City a Faithful Performance Bond running to the City in the sum of \$1,000.00 executed by a reputable surety entitled to do business in the State of California. The said bond shall contain the conditions that the grantee shall well and truly observe, fulfill and perform each and every term and condition of this franchise, and that in case of any breach of any condition of said bond, the whole amount of the sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and from the sureties upon said bond. The provisions of this section shall not exempt the grantee from compliance with any of the laws of the City in force during the term thereof which required the grantee to post a bond other than the bond required by this section.

However, where the grantee desires to show other evidence of financial responsibility for faithful performance, acceptable to the Public Works Director, the above Bond requirements may be waived by said Public Works Director.

- (b) **Indemnification:** The grantee, by the acceptance or use of the franchise hereby granted, agrees to keep and save free and harmless the City, its officers, agents or employees against any and all claims, demands or causes of action which may be asserted, prosecuted or established against them, or any of them, for damage to persons, or property, of whatsoever nature, arising out of the use by it of the City streets hereunder or arising out of any of the operations or activities of the grantee pursuant to this franchise, whether such damage shall be caused by negligence or otherwise, excepting therefrom, however, any claim, demand or cause of action, which may be asserted prosecuted or established against the City under the provisions of the Workmen's Compensation Act for injury to, or the death of any of the City's officers, agents or employees while acting within the scope of their employment and further excepting therefrom any claim, demand or cause of action arising out of the negligence of the City, its officers, agents, and/or employees.

The grantee shall further deposit with the City Clerk a Certificate of Insurance certifying that the grantee has in effect liability insurance for the protection of the City in connection with grantee's activities in the principal amount of Two Million Dollars (\$2,000,000).

(Ord. Nos. 399, 921)

Sec. 21-59. Compliance with other regulations.

The grantee agrees to comply with all lawful ordinances, rules and regulations heretofore or hereafter adopted by the City Council governing the construction, maintenance and operation of the grantee's facilities which are installed or maintained under this franchise, and further with all provisions of the Paramount Municipal Code.

(Ord. Nos. 399, 921)

Sec. 21-60. Franchise non-exclusive.

The granting of this franchise shall not be construed to prevent the City from granting any identical or similar franchise to any person other than the grantee. (Ord. Nos. 399, 921)

Sec. 21-61. Right of eminent domain preserved.

The grant of this franchise shall not in any way or to any extent impair or affect the right of the City to acquire the property of the grantee either by purchase or through the exercise of the right of eminent domain. (Ord. Nos. 399, 921)

Sec. 21-62. Inspection of records.

At all reasonable times, the grantee shall permit any duly authorized representative of the City to examine all property of grantee which is operated or maintained pursuant to this franchise and to examine any and all books, accounts, papers, maps and other records with relation thereto. (Ord. Nos. 399, 921)

Sec. 21-63. Franchise not assignable.

The grantee shall not sell, transfer, assign or lease this franchise without the consent of the City; provided, however, that this franchise may be transferred in trust or hypothecated for the purpose of securing any indebtedness of grantee. If the requested assignment is to an affiliate or to a joint venture in which grantee is a partner, City shall not unreasonably withhold its consent to such assignment. As a condition of assignment, assignee agrees to be bound by the terms and conditions of this franchise. (Ord. Nos. 399, 921)

Sec. 21-64. Filing of maps.

Within ninety (90) days after each anniversary date of the effective date of this Ordinance the grantee shall file with the City a map or set of maps showing in detail the exact location and size of all facilities which have been installed or abandoned subsequent to the filing of the last preceding map or set of maps. (Ord. Nos. 399, 921)

Sec. 21-65. Acceptance.

This franchise is granted and shall be held and enjoyed only upon the terms and conditions herein contained, and the grantee shall, within thirty (30) days after the adoption of this Ordinance granting said franchise, file with the City Clerk of the City of Paramount a written acceptance of such terms and conditions. (Ord. Nos. 399, 921)

Division 3. Mobil Oil Corporation.

Sec. 21-65.1. Grant of franchise.¹

The city hereby grants the Mobil Oil Corporation, its successors and assigns, hereinafter referred to as "Grantee," subject to the terms and conditions herein contained, the right, franchise and privilege from time to time, for a period of twenty-five years from and after the effective date of this division, to install, operate, maintain, replace, change size of, abandon in place and/or remove pipeline for the transportation of oil, petroleum and hydrocarbon substances, together with all appurtenances and service connections necessary or convenient to properly maintain and operate such pipelines, including cathodic protection facilities, necessary or convenient for the grantee's business, hereinafter collectively called "Franchise Property," within the public streets, highways or public property now existing or hereafter dedicated, hereinafter collectively called "streets" of the city. All power and control lines shall be underground. (Ord. No. 466)

¹Editor's note. - Ordinance No. 466, from which this is derived, was adopted on April 3, 1979, to be effective thirty days after its adoption.

Sec. 21-65.2. Term of franchise.

The initial term of this franchise shall be twenty-five years. The city reserves the right to limit this franchise prior to its expiration date in the event the grantee fails to comply with any provisions of this division; provided, that if such failure to comply shall be due to a cause beyond the control of the grantee, the franchise shall not be so terminated; provided, further, that this franchise shall not be so terminated unless the grantee is given notice of such noncompliance and fails within ninety days of the date of such notice to commence and thereafter diligently prosecute to completion the corrective action necessary to cure noncompliance. Notwithstanding the foregoing, if the grantee's noncompliance is of such kind or nature as to cause a hazard to the public or endanger the public peace, health, safety or general welfare, the city's director of public works may so notify the grantee and reduce the period during which the grantee shall commence the work necessary to correct such noncompliance. In the event the grantee fails to commence the corrective action within the time specified, as an alternative to terminating the franchise, the city may do corrective work at the grantee's expense.

If any provisions of this division become invalid or unenforceable and the city expressly finds that such provisions constitute a consideration material to the granting of this franchise, this franchise may be terminated by the city on ten days' notice. (Ord. No. 466)

Sec. 21-65.3. Construction under franchise.

- (a) Applicable codes. The grantee, in constructing its pipeline pursuant to this franchise, shall comply with the American National Standard Code for Pressure Piping, and SIB-31.4, and/or part 194, title 49, Code of the Federal Regulation, in its latest revision relating to transportation of liquids by pipeline.
- (b) Street excavations. The grantee shall have the right to make all necessary street excavations for the purpose of exercising the rights granted by this franchise, but nothing herein contained shall relieve the grantee from the provisions of any city ordinance or law that may be enforced at the time, requiring permits for street excavation before such work is commenced. All excavations shall be made and refilled in strict compliance with all city ordinances that may be in effect at the time of the performance of the work and shall be made so as not to interfere unreasonably with the free use of the streets by the public.

Upon completion of the work for which street excavations are made, all portions of the street which have been excavated or otherwise damaged by such excavation work shall be restored to their original condition, or equivalent, to the satisfaction of the director of public works.

- (c) Emergency work. The grantee shall promptly repair any leaks or breaks in the pipelines and conduits, and if any portion of the streets shall be damaged by reason of breaks or leaks in any pipe or conduit constructed under this franchise, the grantee shall, at its own expense, take immediate steps to repair any such damage and restore such street to its original condition, or equivalent, to the satisfaction of the director of public works. Such emergency repair of franchise property may be commenced without prior permit; provided, that the grantee, no later than the next normal working day, shall notify by telephone the director of public works of such work and shall within the following seven calendar days apply for an excavation permit authorizing such emergency work.

- (d) Changes required by public improvements. If the director of public works shall determine that it is reasonable and necessary that the grantee's pipeline be temporarily or permanently relocated or substitute facilities installed in order that the city may relocate, change grade or change or modify any street improvement or city owned utility facilities, the director of public works shall give written notice thereof to the grantee. Within ninety days after the service of such notice, the grantee shall, at its sole cost and expense, begin and shall thereafter diligently prosecute the necessary work to completion.

In the event the city proposes to improve its facilities, which improvements would require the relocation or modification of the grantee's pipeline, the director of public works may, with the consent of the grantee, modify the city's proposed improvement to the extent that construction thereof has a lesser effect on the grantee's pipeline, and the grantee shall reimburse the city for the cost and expense of making such modification.

In the event that any franchise property is required to be abandoned in or removed from any street or portion thereof affected, the director of public works shall approve such additional street locations as may be necessary to permit the installation of substitute facilities. The city will not require any relocation or modification which will have the effect of depriving the grantee of a continuous and contiguous pipeline right-of-way. (Ord. No. 466)

Sec. 21-65.4. Abandonment of franchise property.

The director of public works, upon terms and conditions agreeable to both the city and the grantee, may give the grantee permission to abandon, in place, property installed under the franchise. The length of any pipeline or poleline abandoned with such permission shall not be considered in calculating payments due under the franchise following the date the director of public works or his designated representative has inspected and approved in writing the abandonment. The ownership of all property so abandoned shall thereafter vest in the city. (Ord. No. 466)

Sec. 21-65.5. Maps and records.

Within six months following the completion of the installation, relocation, removal or abandonment of any property under this franchise, the grantee shall file a map in such form as may be required by the director of public works showing the location, length and size of all such facilities so installed, relocated, removed or abandoned. (Ord. No. 466)

Sec. 21-65.6. Compensation to city.

As consideration for the franchise granted by this division, the grantee shall make annual payments to the city, in lawful money of the United States, at the rate of \$0.02 per nominal internal diameter inch per lineal foot of pipeline maintained in the city's public streets pursuant to this franchise. The annual payments shall be made on or before the first day of March. In the event any facility shall have been subject to the terms of this franchise for only a fractional part of the preceding year ending December 31, the payment therefor shall be computed in the proportion which the number of days in the fractional part bears to three hundred sixty.

The rate of compensation shall be reviewed by the city every fifth year. (Ord. No. 466)

Sec. 21-65.7. Responsibility of grantee.

The grantee, by the acceptance or use of the franchise granted by this division, agrees to keep and save free and harmless the city, its officers, agents or employees against all claims, demands or causes of action which may be asserted, prosecuted or established against them for damage to persons or property, of whatsoever nature, arising out of the use by it of the city streets under this division or arising out of any of the operations or activities of the grantee pursuant to this franchise, whether such damage shall be caused by negligence or otherwise, excepting therefrom, however, any claim, demand or cause of action which may be asserted, prosecuted or established against the city under the provisions of the Workers' Compensation Act for injury to, or the death of, any of the city's officers, agents or employees while acting within the scope of their employment, and further excepting therefrom any claim, demand or cause of action arising out of the negligent or willful conduct of the city, its officers, agents and/or employees. (Ord. No. 466)

Sec. 21-65.8. Sale, lease, assignment or other disposition of franchise.

The grantee shall not permit any right or privilege granted by the franchise to be exercised by another, nor shall the franchise or any interest therein, any right or privilege thereunder, be in whole or in part sold, transferred, leased, assigned or disposed of, except to a corporation acquiring or owning a portion of the assets of the grantee, without the consent of the city expressed by resolution; provided, that the provisions of the franchise shall not require any such consent, and no consent shall be required, for any transfer by the grantee in trust or by way of mortgage or hypothecation covering all or any part of the grantee's property, which transfer, mortgage or hypothecation shall be for the purpose of securing an indebtedness of the grantee or for the purpose of renewing, extending, refunding, retiring, paying or canceling in whole or in part any such indebtedness at any time or from time to time.

Any such sale, lease, assignment or other disposition of this franchise, whether requiring the consent of the city or otherwise, shall be evidenced by a duly executed instrument in writing filed in the office of the city clerk within thirty days after such sale, lease, assignment or other disposition. (Ord. No. 466)

Sec. 21-65.9. Grantee to file acceptance.

This franchise is granted and shall be held and enjoyed only upon the terms and conditions herein contained, and the grantee shall, within thirty days after April 3, 1979, file with the city clerk a written acceptance of such terms and conditions. (Ord. No. 466)

Sec. 21-65.10. Administrative costs.

The grantee of this franchise shall pay to the city a sum of money sufficient to reimburse it for all administrative expenses incurred by it in connection with the granting of this franchise. Such payment shall be made within thirty days after the city shall furnish such grantee with a written statement requesting payment. (Ord. No. 466)

Division 4. Sohio Transportation Company.

Sec. 21-65.11. Grant of franchise.

The Sohio Transportation Company of California (grantee), its successors and assigns, is hereby granted a franchise to lay and use, operate and maintain, for a period of sixty years, a pipeline for transmitting and distributing oil or products thereof for any and all purposes, at no cost to the city, to cross under certain streets in the city, more particularly described in Exhibit "A," on file in the office of the city clerk. (Ord. No. 450)

Sec. 21-65.12. Compliance with street improvement plans; time for completion of construction.

The grantee, its successors and assigns shall construct, install, operate and maintain all pipes and appurtenances in accordance and in conformance with the city's engineering street improvement plans, including widening and change of grade, and all ordinances and rules adopted by the city, and further, shall complete such work within six months after commencement of construction and installation of such pipeline. (Ord. No. 450)

Sec. 21-65.13. Restoration of streets.

Upon completion of the work of constructing, laying, replacing, maintaining, repairing or removing all pipelines and appurtenances authorized by this franchise, the grantee shall return all portions of the street or other public property which have been excavated or otherwise damaged to their original condition or equivalent. Such repairs shall be made to the satisfaction of the director of public works of the city. If the grantee fails to comply with written instructions given by the director of public works for such repairs within forty-five days after service thereof, the director of public works may complete such work at the grantee's expense. (Ord. No. 450)

Sec. 21-65.14. Reserved rights of city.

The city, in granting this franchise, expressly reserves the right to pave, macadamize, remove, reconstruct or install underground utilities or storm drain pipes therein, such work to be done so as to cause no substantial injury to the pipelines or other facilities of the grantee. (Ord. No. 450)

Sec. 21-65.15. Location of franchise property; street excavations; emergency work; changes required by public improvements; removal or abandonment of facilities.

- (a) Location of franchise property. The location of any franchise property installed under this division shall be first approved by the public works director.
- (b) Street excavations. The grantee shall have the right to make all necessary excavations in the streets for the purposes granted in such franchise, but nothing contained in this division shall relieve the grantee from the provisions of any ordinance or law that may be in force at the time requiring permits to be obtained for street excavations before such work is commenced.

All excavations shall be made and refilled in strict compliance with all city laws or ordinances that may be in effect at the time of the performance of the work and shall be made so as not to interfere unreasonably with the free use of the streets by the public.

Upon completion of the work for which street excavations are made, all portions of the streets which have been excavated or otherwise damaged by such excavation shall be restored to as good condition as they were in before the commencement of such work, to the satisfaction of the public works director.

- (c) Emergency work. The grantee shall promptly repair any leaks or breaks in pipelines and conduits, and if any portion of any street shall be damaged by reason of breaks or leaks in any pipe or conduit constructed under the franchise, the grantee shall at its own expense take immediate steps to repair any such damage and restore such street to its original condition or equivalent, to the satisfaction of the director of public works. Such emergency repair of franchise property may be commenced without prior permit; provided, that the grantee shall, within three working days, apply to the director of public works for a permit authorizing such emergency work.
- (d) Changes required by public improvements. If the public works director shall determine that it is reasonable and necessary that franchise property be temporarily disconnected, abandoned, temporarily or permanently removed, temporarily or permanently relocated or substitute facilities installed, in order that the city, when acting in a governmental capacity, may relocate, change grade, construct, use, maintain, change or modify any street improvement or city owned utility facilities, the public works director shall give notice thereof in writing to the grantee. Within one hundred and eighty days after the service of such notice upon the grantee, the grantee shall, at its sole cost and expense, begin the necessary work and shall thereafter diligently prosecute such work to completion. Upon its failure to do so, the public works director may cause such work to be completed, and the grantee shall immediately pay for the same upon presentation of an itemized account of the cost thereof.

In the event that any franchise property is required to be abandoned or permanently removed from any street or portion thereof, the public works director shall approve such additional street locations as may be necessary to permit the installation of substitute facilities. In no event shall the grantee be deprived of a continuous right-of-way for its pipeline.

In the event the city proposes to improve or modify its facilities or highways, which improvement or modification would require the relocation or modification of the grantee's pipeline, the city may, with the consent of the grantee, modify the proposed improvement to the extent that construction thereof has a lesser effect on the grantee's pipeline, and the grantee shall reimburse to the city the cost and expense of making such modification.

- (e) Removal or abandonment of facilities. At the time of expiration, revocation or termination of the franchise granted by this article, or of the permanent discontinuance of the use of its facilities or any portion thereof, the grantee shall, within thirty days thereafter, make a written application to the public works director for authority either:
- (1) To abandon all or a portion of such facilities in place; or
 - (2) To remove all or a portion of such facilities.

Such application shall describe the facilities desired to be abandoned by reference to the maps required by section 21-52 and shall also describe with reasonable accuracy the relative physical condition of such facilities. Thereupon, the public works director shall determine whether any abandonment or removal which is thereby proposed may be effected without detriment to the public interest, and under what conditions, if any, such proposed abandonment or removal may be safely effected, and shall then notify the grantee in writing of such determination. Within ninety days receipt of such notification the grantee shall commence and shall thereafter diligently prosecute to completion the work authorized by such notification.

If any facilities to be abandoned in place subject to prescribed conditions shall not be abandoned in accordance with all such conditions, the public works director shall so notify the grantee in writing. Not less than thirty days thereafter, the public works director may make an order that the grantee shall remove all such facilities in accordance with applicable requirements. In the event the grantee shall fail to remove any facilities which it is obligated to remove in accordance with such applicable requirements, within such time as may be prescribed by the public works director, upon forty-five days' written notice, the city may remove such facilities at the grantee's expense, and the grantee shall pay to the city the actual cost thereof, plus twenty-five percent for overhead. (Ord. No. 450)

Sec. 21-65.16. Reimbursement of city for publication expenses.

The grantee, its successors and assigns shall pay to the city a sum of money to reimburse the city for all publication expenses incurred by the city in connection with the granting of this franchise. Such payment shall be made within thirty days after the city furnishes the grantee with a written statement of the publication expenses. (Ord. No. 450)

Sec. 21-65.17. Indemnification of city for damages.

The grantee, its successors and assigns shall indemnify and hold harmless the city, and its officers, agents or employees, from all liability for damages proximately resulting from any operations under this franchise, except for liability occasioned by negligent or willful misconduct directly attributable solely to the city and its officers, agents or employees. (Ord. No. 450)

Sec. 21-65.18. Surety bond.

The grant of this franchise is effective only upon the further condition that the grantee, within thirty days after the award of this franchise, shall file with the director of public works a bond or other acceptable surety in favor of the city with the penal sum of ten thousand dollars, with good and sufficient surety to be approved by the city, conditioned that the Sohio Transportation Company of California, its successors and assigns, shall well and truly observe, fulfill and perform every term and condition of this franchise and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principals and the sureties upon such bond by the city. (Ord. No. 450)

Sec. 21-65.19. Sale, transfer, etc., of franchise.

The grantee, its successors and assigns may assign the rights herein granted, in whole or in part. The grantee, its successors and assigns shall file with the city council, within thirty days after any sale, transfer, assignment or lease of this franchise or any part thereof, or any of the rights or privileges granted hereby, written evidence of the transaction certified to by the grantee or its duly authorized officers. (Ord. No. 450)

Sec. 21-65.20. Liability for damages.

The grantee, its successors and assigns shall be liable to the city, its officers, agents and employees for all claims, demands or causes of action for damages which may be asserted, prosecuted or established against them for damages to persons and property of whatever nature arising out of or resulting from the failure of the grantee, its successors and assigns to well and faithfully observe and perform any provision of this franchise. (Ord. No. 450)

Sec. 21-65.21. Forfeiture of franchise.

If the grantee, its successors and assigns shall fail, neglect or refuse to comply with any of the provisions of this franchise, and shall not, within thirty days after written demand for compliance, begin the work of compliance, or after such beginning shall not prosecute the work with due diligence to completion, the city council may declare this franchise forfeited. (Ord. No. 450)

Sec. 21-65.22. Acceptance of terms of franchise.

The grantee, its successors and assigns shall file a written acceptance of the terms and conditions of this franchise with the city clerk within thirty days after July 18, 1978. (Ord. No. 450)

Division 5. ARCO Pipe Line Company.

Sec. 21-65.23. Franchise granted.

The right, privilege and franchise are hereby granted to ARCO Pipe Line Company, a Delaware corporation, to construct from time to time and to lay, maintain, operate, renew, repair, change the size of petroleum, oil, gas and hydrocarbon substances, gasoline and other refined petroleum products, water, waste water, and other liquid substances, together with all manholes, valves, traps and appurtenances, including cathodic protection facilities, necessary or convenient for the operation of the grantee's business in, under, along or across any and all public streets, ways and alleys now or hereafter dedicated to public use in the incorporated territory of the City of Paramount, County of Los Angeles, State of California. (Ord. No. 904)

Sec. 21-65.24. Term of franchise.

The term of this franchise shall be 20 years after the effective date of this Ordinance, or until the same shall be sooner voluntarily surrendered or abandoned by the grantee, or until the State of California or some municipal or public corporation thereunto duly authorized by law shall sooner purchase by voluntary agreement or condemn and take under the power of eminent domain, all property actually used or useful in exercise of such franchise, or until the franchise shall sooner be forfeited for non-compliance with the provisions hereof by the grantee. (Ord. No. 904)

Sec. 21-65.25. Compensation to city.

As consideration for the franchise granted herein, the Grantee shall pay to the City the following fees:

- (a) Base annual fee. A base annual fee shall be paid within 60 days after the end of each calendar year and during the life of the franchise for each and every year, including the year of granting the franchise, according to the "franchise payment period" as set forth in California Public Utilities Code Section 6231.5 (3), by multiplying the pipe length expressed in feet by the applicable base rate as follows:

Pipe Size (Internal) Diameter in inches	Base Rate Per Lineal Foot
0-4	\$0.088
6	0.132
8	0.176
10	0.220
12	0.264
14	0.308
16	0.352
18	0.396
20	0.440
22	0.484
24	0.528
26	0.572
28	0.616
30	0.660

For pipelines with an internal diameter not listed above, the fees shall be in the same proportion to the fees of a twelve (12) inch diameter pipe as the diameter of the unlisted pipe is to twelve (12) inches. The formula used in arriving at the annual fee shall apply to any existing, replacement, modification or extension of the pipeline. (Ord. No. 904)

(b) Adjustments:

- (1) The amount of the fee provided for in subsection (a) of this Section, shall be adjusted at the time payment is due by multiplying the base fee by the Consumer Price Index, All Urban Consumers for the Los Angeles - Anaheim - Riverside area as published by the United States Department of Labor, Office of Information for the month of September immediately preceding the month in which payment is due and payable, and divided by the Consumer Price Index for June 30, 1989 = 100.0. (Ord. No. 904)
- (2) In no event shall an annual fee be charged which is less than the base annual fee amount established by subsection (a) of this Section. (Ord. No. 904)

- (3) The indices specified in paragraph 1 of this subsection (b) are calculated and published by the United States Department of Labor, Bureau of Labor Statistics. If the Bureau discontinues the calculation or publication of the Consumer Price Index, All Urban Consumers for the Los Angeles - Anaheim - Riverside area (June 30,1998=100), and no transposition table is available to convert to another index, then the amount of each annual adjustment in base fees shall be computed by using a comparable governmental index. (Ord. No. 904)

(c) Proration of payments.

In the event of abandonment of facilities, or in the event of removal of such facilities by the Grantee, or in the event of the grant of a franchise with an initial franchise payment period of less than one year, the annual franchise fee required under subsections (a) and (b) of Section 4 shall be prorated for the calendar year in which such removal or abandonment or grant occurs as of the end of the calendar month in which removed, abandoned or granted. (Ord. No. 904)

Sec. 21-65.26. Construction generally.

- (a) Location of franchise property: The location of any franchise property installed hereunder shall be first approved by the Public Works Director. (Ord. No. 904)
- (b) Quality control: All franchise property installed and maintained hereunder shall be constructed in a good workmanlike manner and in conformity with all ordinances, rules or regulations now or hereafter adopted or prescribed by the City. All pipelines installed shall conform to applicable U.S.A. Standard Code for Pressure Piping, in its latest revision. (Ord. No. 904)
- (c) Street excavations: Grantee shall have the right to make all necessary excavations in the streets for the purposes granted in this franchise, but nothing herein contained shall relieve grantee from the provisions of any ordinance or law that may be in force at the time, requiring permits to be obtained for street excavations before such work is commenced.

All excavation shall be made and refilled in strict compliance with all City ordinances that may be in effect at the time of the performance of the work and shall be so made as not to interfere unreasonably with the free use of the streets by the public.

Upon completion of the work for which street excavations are made, all portions of the street which have been excavated or otherwise damaged by such excavation work shall be restored to as good condition as they were in before the commencement of such work, to the satisfaction of the Public Works Director. (Ord. No. 904)

- (d) Emergency work: The grantee shall promptly repair any leaks or breaks in pipelines and conduits and, if any portion of any street shall be damaged by reason of breaks or leaks in any pipe or conduits constructed under this franchise, the grantee shall, at its own expense, take immediate steps to repair any such damage and restore such street to as good condition as it was before such break or leak, to the satisfaction of the Public Works Director. Such emergency repair of franchise property may be commenced without prior permit; provided, however, that grantee shall, by no later than the next normal working day, apply to the Public Works Director for a permit authorizing such emergency work. (Ord. No. 904)
- (e) Changes required by public improvements: If the Public Works Director shall determine that it is reasonable and necessary that franchise property be temporarily disconnected, abandoned, temporarily or permanently removed, temporarily or permanently relocated or substitute facilities installed, in order that the City, when acting in a governmental capacity, may relocate, change grade, construct, use, maintain, change or modify any street improvement or City-owned utility facilities, said Public Works Director shall give notice, in writing, to the grantee. Within thirty (30) days after the service of such notice upon the grantee, the grantee shall at its sole cost and expense begin and diligently prosecute the necessary work to completion. Upon failure to do so, the Public Works Director may cause said work to be completed and the grantee shall immediately pay for the same upon presentation of an itemized account of the cost thereof.

In the event that any franchise property is required to be abandoned in or permanently removed from any street or portion thereof affected, the Public Works Director shall approve such additional street location or locations as may be necessary to permit the installation of substitute facilities. (Ord. No. 904)

- (f) Removal or abandonment of facilities: At the time of expiration, revocation or termination of this franchise or of the permanent discontinuance of the use of its facilities, or any portion thereof, the grantee shall, within thirty (30) days thereafter, make a written application to the Public Works Director for authority either: (1) to abandon all, or a portion, of such facilities in place, or (2) to remove all, or a portion, of such facilities. Such application shall describe the facilities desired to be abandoned by reference to the map or maps required by Section 21-52 of this Ordinance and shall also describe with reasonable accuracy the relative physical condition of such facilities. Thereupon, the Public Works Director shall determine whether any abandonment or removal which is thereby proposed may be effected without detriment to the public interest or under what conditions such proposed abandonment or removal may be safely effected and shall then notify the grantee, according to such requirements as shall be specified in the Public Works Director's order, and within ninety (90) days thereafter, to either:
- (1) Remove all or a portion of such facilities, or
 - (2) Abandon in place all or a portion of such facilities.

If any facilities to be abandoned in place subject to prescribed conditions shall not be abandoned in accordance with all such conditions, then the Public Works Director may make additional appropriate orders, including if he deems desirable, an order that the grantee shall remove all such facilities in accordance with applicable requirements. In the event the grantee shall fail to remove any facilities which it is obligated to remove in accordance with such applicable requirements within such time as may be prescribed by the Public Works Director, then the City may remove such facilities at the grantee's expense and the grantee shall pay to the City the actual cost thereof to the City plus twenty-five per cent (25%) for overhead. (Ord. No. 904)

Sec. 21-65.27. Guarantee and responsibility.

- (a) Bond: This franchise is granted on the condition that the grantee shall at all times during the life of this franchise keep on file with the City a Faithful Performance Bond running to the City in the sum of \$5,000.00 executed by a reputable surety entitled to do business in the State of California. The said bond shall contain the conditions that the grantee shall well and truly observe, fulfill and perform each and every term and condition of this franchise, and that in case of any breach of any condition of said bond, the whole amount of the sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and from the sureties upon said bond. The provisions of this section shall not exempt the grantee from compliance with any of the laws of the City in force during the term thereof which required the grantee to post a bond other than the bond required by this section.

However, where the grantee desires to show other evidence of financial responsibility for faithful performance, acceptable to the Public Works Director, the above Bond requirements may be waived by said Public Works Director. (Ord. No. 904)

- (b) Indemnification: The grantee, by the acceptance or use of the franchise hereby granted, agrees to keep and save free and harmless the City, its officers, agents or employees against any and all claims, demands or causes of action which may be asserted, prosecuted or established against them, or any of them, for damage to persons, or property, of whatsoever nature, arising out of the use by it of the City streets hereunder or arising out of any of the operations or activities of the grantee pursuant to this franchise, whether such damage shall be caused by negligence or otherwise, excepting therefrom, however, any claim, demand or cause of action, which may be asserted prosecuted or established against the City under the provisions of the Workmen's Compensation Act for injury to, or the death of any of the City's officers, agents or employees while acting within the scope of their employment and further excepting therefrom any claim, demand or cause of action arising out of the negligence of the City, its officers, agents, and/or employees.

The grantee shall further deposit with the City Clerk a Certificate of Insurance certifying that the grantee has in effect liability insurance for the protection of the City in connection with grantee's activities in the principal amount of Two Million Dollars (\$2,000,000). (Ord. No. 904)

Sec. 21-65.28. Compliance with other regulations.

The grantee agrees to comply with all lawful ordinances, rules and regulations heretofore or hereafter adopted by the City Council governing the construction, maintenance and operation of the grantee's facilities which are installed or maintained under this franchise, and further with all provisions of the Paramount Municipal Code. (Ord. No. 904)

Sec. 21-65.29. Franchise non-exclusive.

The granting of this franchise shall not be construed to prevent the City from granting any identical or similar franchise to any person other than the grantee. (Ord. No. 904)

Sec. 21-65.30. Right of eminent domain preserved.

The grant of this franchise shall not in any way or to any extent impair or affect the right of the City to acquire the property of the grantee either by purchase or through the exercise of the right of eminent domain. (Ord. No. 904)

Sec. 21-65.31. Inspection of records.

At all reasonable times, the grantee shall permit any duly authorized representative of the City to examine all property of grantee which is operated or maintained pursuant to this franchise and to examine any and all books, accounts, papers, maps and other records with relation thereto. (Ord. No. 904)

Sec. 21-65.32. Franchise not assignable.

The grantee shall not sell, transfer, assign or lease this franchise without the consent of the City; provided, however, that this franchise may be transferred in trust or hypothecated for the purpose of securing any indebtedness of grantee. If the requested assignment is to an affiliate or to a joint venture in which grantee is a partner, City shall not unreasonably withhold its consent to such assignment. As a condition of assignment, assignee agrees to be bound by the terms and conditions of this franchise. (Ord. No. 904)

Sec. 21-65.33. Filing of maps.

Within ninety (90) days after each anniversary date of the effective date of this Ordinance the grantee shall file with the City a map or set of maps showing in detail the exact location and size of all facilities which have been installed or abandoned subsequent to the filing of the last preceding map or set of maps. (Ord. No. 904)

Sec. 21-65.34. Acceptance.

This franchise is granted and shall be held and enjoyed only upon the terms and conditions herein contained, and the grantee shall, within thirty (30) days after the adoption of this Ordinance granting said franchise, file with the City Clerk of the City of Paramount a written acceptance of such terms and condition. (Ord. No. 904)

(Ord Nos. 399, 450, 466, 903, 904, 921)

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