

## CHAPTER 11. FRANCHISES

### Section 11.01 Franchises Required.

Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures, in, over, upon or under any street or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefor from the City. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the Clerk to guarantee publication before the ordinance is passed.

### Section 11.02 Term.

No perpetual franchise or privilege shall ever be created, nor shall any exclusive franchise or privilege be granted for a period of more than twenty-five years.

### Section 11.03 Public Hearing.

Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the Council, the Council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once in the official newspaper not less than ten (10) days prior to the date of the hearing.

### Section 11.04 Power of Regulation Reserved.

Subject to any applicable law, the Council may by ordinance reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

### Section 11.05 Renewals or Extensions.

Every extension, renewal or modification of any existing franchise or of any franchise granted thereafter shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

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**CHAPTER 10. FRANCHISES**

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Sec. 10.02. Term.

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Sec. 10.05. Renewals or extensions.

**Sec. 10.01. Franchises required.**

Except as otherwise provided by law, no person, firm or corporation shall place or maintain any permanent or semipermanent fixtures in, over, upon or under any street or public place for the purpose of operating a public utility or for any other purpose, without a franchise therefor from the city. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the clerk to guarantee publication before the ordinance is passed.

**Sec. 10.02. Term.**

No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding twenty (20) years shall be effective until approved by a majority of the electors voting thereon, at a general or special election.

**Sec. 10.03. Public hearings.**

Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the council, the council shall hold a public hearing on the matter. Notice of such hearing shall be published at least twice in the official newspaper not less than twenty (20) days prior to the date of the hearing.

**Sec. 10.04. Power of regulation reserved.**

Subject to any applicable law the council may by ordinance reasonably regulate and control the exercise of any franchise including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

**Sec. 10.05. Renewals or extensions.**

Every extension, renewal, or modification of any existing franchise or of any franchise granted hereafter shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 1-1000

FRANCHISES

1-1001 Franchises Required. Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility or for any purposes, without a franchise therefor from the City. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the City Clerk to guarantee publication before the ordinance is passed.

1-1002 Term. No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding 20 years shall be effective until approved by a majority of the votes cast in a regular or special municipal election. [Revised 1/11/94, Ordinance 1479]

1-1003 Public Hearing. Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the Council, the Council shall hold a public hearing on the matter. Notice of such hearing shall be published at least twice in the official paper and posted in three (3) public places within the City not less than ten (10) days prior to the date of the hearing.

1-1004 Power of Regulation Reserved. Subject to any applicable law the Council may, by ordinance, reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

1-1005 Renewals or Extensions. Every extension, renewal, or modification of any existing franchise or of any franchise granted herein shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

**CHAPTER TEN**

***FRANCHISES***

**SECTION 10.01 Franchises Required**

Except as otherwise provided by law, no person, firm, or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility or for any other purposes, without a franchise therefor from the City. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the City Clerk to guarantee publication before the ordinance is passed.

**SECTION 10.02 Term**

No exclusive or perpetual franchise shall ever be granted. No franchise for a term exceeding twenty years shall be effective until approved by a majority of the electors voting thereon.

**SECTION 10.03 Public Hearing**

Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by the Council, the Council shall hold a public hearing on the matter. Notice of such hearing shall be published at least once in the official newspaper not less than ten (10) days prior to the date of the hearing.

**SECTION 10.04 Power of Regulation Reserved**

Subject to any applicable law the Council may, by ordinance, reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable law, ordinance, or regulation or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

**SECTION 10.05 Renewals or Extensions**

Every renewal or modification of a franchise, including an existing franchise, shall be subject to the same limitations and shall be granted in the same manner as a new franchise.

## Lino Lakes City Charter

### CHAPTER X. FRANCHISES

Section 10.01. Except as otherwise provided by state law, no person, firm or corporation shall place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility, or for any other purpose, without a franchise therefore from the City. A franchise shall be granted only by ordinance, which shall not be an emergency ordinance. No exclusive franchise shall be granted unless the proposed ordinance is submitted to the voters of the City following a public hearing and approved by at least a majority of those voting thereon. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the City Clerk to guarantee publication before the ordinance is passed. (*Amended 05/27/2003*)

Section 10.02. Term. No perpetual franchise or privilege shall be created, nor shall any exclusive franchise or privilege be granted for a period of more than twenty-five (25) years.

Section 10.03. Public Hearing. Before any franchise ordinance is adopted or any rates, fares, or prices to be charged by a public utility are fixed by Council, the Council shall hold a public hearing on the matter. Not less than ten (10) days prior to the date of the hearing, notice of such hearing shall be published at least once in the official newspaper and additional notice of such hearing shall be given in such manner as the Council shall determine.

Section 10.04. Power of Regulation Reserved. Subject to any applicable state law, the Council may by ordinance reasonably regulate and control the exercise of any franchise, including the maximum rates, fares, or prices to be charged by the grantee. No franchise value shall be included in the valuation of the grantee's property in regulating utility rates, fares, or prices under any applicable state or municipal law, or regulation, or in proceedings for municipal acquisition of the grantee's property by purchase or eminent domain.

Section 10.05. Renewals or Extensions. Every extension, renewal, or modification of any existing franchise, or of any franchise granted thereafter, shall be subject to the same limitations and shall be granted in the same manner as a new franchise.