

AN ORDINANCE granting to Potomac Electric Power Company, a District of Columbia and Virginia corporation, a license to construct, maintain and operate an underground electrical transmission system in and under portions of First Street, North Fairfax Street, Third Street, North Royal Street, Bashford Lane, Slater's Lane, East and West Abingdon Drive, George Washington Memorial Parkway and Jefferson Davis Highway in the City of Alexandria, Virginia.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Potomac Electric Power Company, a District of Columbia and Virginia corporation, its successors and assigns, hereinafter referred to as Potomac Electric Power Company, or the Company, be and it hereby is granted a bare license subject to the conditions, requirements and limitations hereinafter set forth to construct, maintain and operate an underground electrical transmission system of a diameter not to exceed 18 inches nominal for the purpose of transmitting electric energy under portions of First Street, North Fairfax Street, Third Street, North Royal Street, Bashford Lane, Slater's Lane, East and West Abingdon Drive, George Washington Memorial Parkway and Jefferson Davis Highway, and any widening, extension or connection to any of such streets; and that said system shall be constructed under the said streets in accordance with the drawings hereinafter referred to in Section 3 of this ordinance.

Section 2. That the Company shall install the said underground electrical system in such a manner as not to interfere with the use of the said streets by the public and shall install the said system in accordance with all applicable safety laws and regulations, including but not limited to, the laws and regulations of the City of Alexandria, Virginia. That the Company shall maintain and keep the said system in a safe and proper condition and shall indemnify and save harmless the City of Alexandria, Virginia, from and against any and all liability or loss to persons or property by reason of the construction, maintenance, operation or removal of the said system.

Section 3. That the said underground electrical transmission system shall be located in accordance with the drawings of the Company filed with the director of public works; that the location and installation of the said system shall be under the supervision of the city manager of the City of Alexandria, Virginia, or his duly authorized representative; and that minor change in location, not involving changes in the general location of the said system, may be made with the approval of the city manager or his duly authorized representative. Upon satisfactory completion of the installation of the said underground electrical transmission system as shown on the aforesaid drawings, the Company shall submit to the city manager an "as built plan."

Section 4. That the Company, its successors and assigns, shall not disturb, break or dig up any portion of a public street for the purpose of locating, installing, constructing or maintaining said underground electrical transmission system without first having obtained a written permit from the City of Alexandria, Virginia. That the Company shall also close as soon as practicable any excavations made for the purpose of constructing, installing, operating or maintaining the said system and shall restore the streets to the condition in which they were before any of said excavations.

Section 5. That the safety standards and indemnity obligations set forth in this ordinance shall apply to the entire underground electrical transmission system of the Company within the City of Alexandria, Virginia.

Section 6. That the privilege to so use said streets shall be construed to be a bare license and is revocable at the will of the City Council of the City of Alexandria, or its successors or assigns, provided it gives the Company at least 180 days' notice in writing. Upon receipt of said notice, the Company shall at its expense forthwith remove, relocate to a site approved by the city manager or disconnect and abandon all or any part of said system and restore the streets disturbed by said removal, relocation or abandonment to a safe and proper condition.

Section 7. Upon ceasing to use all or any part of said system, the Company shall, at its expense, forthwith remove or disconnect and abandon that portion not used and restore the streets disturbed by said removal or abandonment to a safe and proper condition.

Section 8. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANK E. MANN
Mayor

— FINAL PASSAGE: NOVEMBER 23, 1976 —