

TOWN OF HAMPSTEAD  
ORDINANCE NO. 534

AN ORDINANCE EXTENDING THE AUTHORIZATION GIVEN TO BALTIMORE GAS AND ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, TO LAY CONDUCTORS OR PIPES FOR THE TRANSMISSION OF GAS UNDER THE STREETS, SQUARES, LANES, ALLEYS AND ROADS, PAVED OR UNPAVED, WITHIN THE PRESENT OR FUTURE LIMITS OF THE TOWN OF HAMPSTEAD, MARYLAND, AND TO CONNECT THE SAME WITH ANY MANUFACTURING, PUBLIC OR PRIVATE BUILDING, LAMP OR OTHER STRUCTURE OR OBJECT, AND WITH THE PLACE OF SUPPLY, IN PERPETUITY.

WHEREAS, by Ordinance enacted July 6, 1965, by The Mayor and Council of the Town of Hampstead, and accepted by Baltimore Gas and Electric Company on July 27, 1965, the Town of Hampstead assented to Baltimore Gas and Electric Company, its successors and assigns, laying conductors or pipes for the transmission of gas under the streets, squares, lanes, alleys and roads, paved or unpaved, of the Town of Hampstead, Maryland, and connecting the same with any manufacturing, public or private building, lamp or other structure or object, and with the place of supply, for a period of fifty (50) years. Such Ordinance, a copy of which is attached hereto as Attachment 1, is referred to herein as the “Hampstead Assent Ordinance”; and

WHEREAS, Baltimore Gas and Electric Company has installed its pipes for the transmission of gas within the Town of Hampstead as permitted under the Hampstead Assent Ordinance; and

WHEREAS, Baltimore Gas and Electric Company has requested that The Mayor and Council of Hampstead extend the authorization given under the Hampstead Assent Ordinance in perpetuity, and The Mayor and Council of Hampstead have agreed to such extension:

ARTICLE 1. NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMPSTEAD that the Hampstead Assent Ordinance is hereby extended in perpetuity.

ARTICLE 2. BE IT FURTHER ORDAINED that The Mayor and Council of Hampstead ratify and confirm their assent to Baltimore Gas and Electric Company laying conductors or pipes for the transmission of gas under the streets, squares, lanes, alleys, and roads, paved or unpaved, within the present or future limits of the Town of Hampstead, and connecting the same with buildings, other structures and the place of supply, in accordance with the terms and conditions set forth in the Hampstead Assent Ordinance and this Assent Ordinance.

ARTICLE 3. BE IT FURTHER ORDAINED that Baltimore Gas and Electric Company shall, by its proper officers, within sixty (60) days from the date of the granting of this assent, signify in writing its acceptance of all terms, conditions, regulations, and restrictions contained in this Assent Ordinance, in default of which the same shall become null and void and of no value.

Introduced this 10<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
Clerk of the Council

Passed this \_\_\_\_ day of January, 2020 by a vote of \_\_\_\_ Council members in favor, \_\_\_\_ Council members opposed, and \_\_\_\_ abstentions.

Delivered to the Mayor for his approval or disapproval this \_\_\_\_ day of January, 2020.

ATTEST:

\_\_\_\_\_  
Clerk of the Council

\_\_\_\_\_  
Christopher M. Nevin  
Mayor

Effective this \_\_\_\_ day of \_\_\_\_, 2020.

Approved as to form  
and legal sufficiency  
this \_\_\_\_ day of \_\_\_\_\_, 2020.

MICHELLE M. OSTRANDER, ESQ.

BY: \_\_\_\_\_  
Town Attorney

All the terms, conditions, regulations, and restrictions contained in the foregoing Assent Ordinance of the Mayor and Council of Hampstead are hereby accepted this \_\_\_\_ day of \_\_\_\_\_, 2020.

BALTIMORE GAS AND ELECTRIC COMPANY

By: \_\_\_\_\_  
Title:

Attest:

\_\_\_\_\_  
Secretary

**ATTACHMENT 1**

Copy of Ordinance enacted July 6, 1965, by The Mayor and Council of the Town of Hampstead,  
and accepted by Baltimore Gas and Electric Company on July 27, 1965 –

See attached

AN ORDINANCE authorizing Baltimore Gas and Electric Company, its successors and assigns, to lay conductors or pipes for the transmission of gas under the streets, squares, lanes, alleys and roads of the Town of Hampstead, paved or unpaved, and to connect the same with any manufactory, public or private building, lamp or other structure or object, and with the place of supply, for a period of fifty (50) years.

Section 1. BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMPSTEAD that Baltimore Gas and Electric Company, its mortgagees, lessees, successors, and assigns, and they and each of them are hereby authorized and empowered to lay conductors or pipes for the transmission of gas under the streets, squares, lanes, alleys, and roads, paved or unpaved, within the present or future limits of the Town of Hampstead, and to connect the same with any manufactory, public or private building, lamp or other structure or object, and with the place of supply, said authorization and power being for a period of fifty (50) years from and after the effective date of this Ordinance.

Section 2. BE IT FURTHER ORDAINED that the use of said streets, squares, lanes, alleys, and roads shall be subject to such reasonable and proper regulations and conditions as the Town of Hampstead may from time to time prescribe, subject, however, also to any law or ordinance that may be passed by the Town of Hampstead for the filling up and repaving of any street, square, lane, alley, or road under which the said conductors or pipes may be laid.

Section 3. BE IT FURTHER ORDAINED that the said conductors or pipes shall be so laid as in no way to interfere with the safety or convenience of persons traveling on or over the said streets, squares, lanes, alleys, and roads, or the drainage thereof.

Section 4. BE IT FURTHER ORDAINED that the laying of conductors and pipes under the provisions of this assent shall be subject to the supervision of the said Town of Hampstead, and the said Company shall replace and promptly restore with the same quality and material that portion of any street, square, lane, alley, or road disturbed by it in the construction or maintenance of its gas system to the satisfaction of the said Town.

Section 5. BE IT FURTHER ORDAINED that the said Company shall maintain all conductors or pipes, and all other apparatus laid or constructed under the provisions of this assent, in good and safe order and condition; and shall at all times fully indemnify, protect, and save harmless the said Town from and against all actions, claims, suits, damages, or charges, and against all loss and necessary expenditure arising from the laying, construction, maintenance, and repairing of the Company's gas system in said Town, or from its negligence or failure to maintain the said conductors, pipes, and apparatus in good and safe order and condition.

Section 6. BE IT FURTHER ORDAINED that nothing herein contained shall be construed to grant unto said Baltimore Gas and Electric Company any exclusive right, or to prevent a grant of similar privileges to other companies.

Section 7. BE IT FURTHER ORDAINED that Baltimore Gas and Electric Company shall, by its proper officers, within sixty (60) days from the date of the granting of this assent, signify in writing its acceptance of all terms, conditions, regulations, and restrictions contained in this Ordinance, in default of which the same shall become null and void and of no value.

Introduced by William Leslie Wheeler, Mayor of the Town of  
Hampstead, this 21st day of June, 1965.

s/ Ralph W. Cummings  
Ralph W. Cummings, Clerk-Treasurer

Enacted this 6th day of July, 1965, to be effective July 27, 1965.

s/ William Leslie Wheeler  
William Leslie Wheeler, Mayor

s/ Ralph W. Cummings  
Ralph W. Cummings, Clerk-Treasurer

I hereby certify that the Public Notice of the passage of this Ordinance was published in the Evening Sun, Hanover, Pennsylvania, on July 12, 1965, and July 19, 1965, in accordance with the requirements of the Town Charter.

s/ Ralph W. Cummings  
Ralph W. Cummings, Clerk-Treasurer

All the terms, conditions, regulations, and restrictions contained in the foregoing Ordinance of The Mayor and Council of the Town of Hampstead are hereby accepted this 27th day of July, 1965.

BALTIMORE GAS AND ELECTRIC COMPANY

Attest:

*R. Smith*  
Secretary

BY *Charles A. ...*  
President

True copy test:

*Ralph W. Cummings*