

CHARTER TOWNSHIP OF JAMESTOWN

COUNTY OF OTTAWA, MICHIGAN

At a regular meeting of the Township Board of the Charter Township of Jamestown, held at the Township Hall, on the 16th day of March, 2026, at 7:00 p.m.

PRESENT: Members: Van Haitsma, DeHaan, Tacoma, Miller, Windemuller, Wolfert

ABSENT: Members: Brouwer

The following Ordinance was offered by Member DeHaan and supported by Member Wolfert.

ORDINANCE NO. 26-004

CONSUMERS ENERGY COMPANY ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the CHARTER TOWNSHIP OF JAMESTOWN, OTTAWA COUNTY, MICHIGAN, for a period of thirty years.

THE CHARTER TOWNSHIP OF JAMESTOWN ORDAINS:

Section 1. GRANT, TERM. The Charter Township of Jamestown, Ottawa County, Michigan (the "Township"), hereby grants the right, power and authority to the Consumers Energy Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances, for the purpose of transmitting, transforming and distributing electricity on, under, along and across the highways, streets, alleys, bridges, waterways and other public places, and to do a local electric business in the Charter Township of Jamestown, Ottawa County, Michigan, for a period of thirty years.

Section 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, Grantee shall faithfully perform all things required by the terms hereof.

Section 3. CONDITIONS. All of Grantee's towers, masts and poles shall comply with all applicable local, state, and federal rules, regulations, and statutes, and be so placed on

either side of the highways, streets, alleys, bridges and waterways as not to unnecessarily interfere with the use thereof for highway, street and alley purposes. All of Grantee's wires carrying electricity shall be securely fastened so as not to endanger or injure persons or property in said highways, streets and alleys and all Grantee's work shall be done so as not to interfere with the use thereof, and when completed, the same shall be left in as good condition as when work was commenced. The Grantee shall have the right to trim or remove trees and vegetation if necessary in the conducting of such business, subject, however, to any applicable permitting requirements of the Ottawa County Road Commission.

Section 4. HOLD HARMLESS. Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures hereby authorized. In case any action is commenced against the Township on account of the permission herein granted, Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

Section 5. RATES. Grantee shall be entitled to charge the inhabitants of the Township for electric energy furnished therein, as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate electric rates and rules regulating such service in the Township, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either the Township, acting by its Township Board, or by Grantee.

Section 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive.

Section 7. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation. Upon revocation this ordinance shall be considered repealed and of no effect, past, present or future.

Section 8. MICHIGAN PUBLIC SERVICE COMMISSION JURISDICTION. Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to electric service in the Township.

Section 9. REPEALER. This ordinance, when enacted, shall repeal and supersede the provision of any previous Consumers' electric franchise ordinance adopted by the Charter Township including any amendments.

Section 10. EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof, provided however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between the Township and Grantee.

We certify that the foregoing ordinance was duly enacted by the Township Board of the Charter Township of Jamestown, Ottawa County, Michigan, on the 16th day of March, 2026.

AYES: Members: Miller, Wolfert, DeHaan, Van Haitsma, Windemuller, Tacoma

NAYS: Members: Brouwer

ORDINANCE DECLARED ADOPTED.

Passed and adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, Michigan, on March 16, 2026.



Laurie VanHaitsma, Supervisor
Charter Township of Jamestown

Attest:


Candy DeHaan, Township Clerk

Ordinance #

First Reading: February 16, 2026


Second Reading: March 16, 2026

Ordinance becomes effective:

CERTIFICATE OF TOWNSHIP CLERK


I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, State of Michigan, at a regular meeting held on March 16, 2026, and that the public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267 of Public Acts of Michigan of 1976, as amended including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.


Candy DeHaan
Township Clerk

CERTIFICATE OF PUBLICATION

I, Candy DeHaan, Township Clerk of the Charter Township of Jamestown, County of Ottawa, State of Michigan, hereby certify pursuant to MCL 42.22 that Township Ordinance No. 26-004, or a summary thereof, was published in the *Grand Rapids Press* on March 24, 2026.



Candy DeHaan
Township Clerk