



1 with the understanding that the franchise shall automatically renew for one (1)-year periods  
2 of January 1<sup>st</sup> to December 31<sup>st</sup>, unless written notice is given by either party within forty-  
3 five (45) days of the end of a calendar year of the intent not to renew the franchise;

- 4 4. The franchise shall not run with the land and shall not be automatically assumed by any  
5 subsequent purchaser or lessor of the property to be known as Raduno Brick Oven as  
6 identified on the effective date of this ordinance;
- 7 5. Any necessary expense involved with utility relocation shall be borne by the franchisee  
8 with no recourse against the City or any utility should utility relocation be required for a  
9 public purpose;
- 10 6. At any time that the City determines it is necessary to end this franchise for a public  
11 purpose, or because of any change in Federal, State, County, or local law, regulations, or  
12 ordinances, or requirements of any kind, the franchise shall cease and all improvements re-  
13 moved at the expense of the owner as possible after notice, and in any event no later than  
14 thirty (30) days after such notice.

15 **Section 3. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase  
16 or word of this ordinance is declared or adjudged to be invalid or unconstitutional such declaration or ad-  
17 judication shall not affect the remaining portions of the ordinance which shall remain in full force and effect  
18 as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the ordi-  
19 nance.

20 **Section 5. Repealer.** All laws, ordinances, resolutions, and parts of the same that are inconsistent with  
21 the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

22 **PASSED: November 17, 2015**

23 **ATTEST:**

**APPROVED:**

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25 \_\_\_\_\_  
26 **Susan Langley, City Clerk**

\_\_\_\_\_ **Mark Stodola, Mayor**

27 **APPROVED AS TO LEGAL FORM:**

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30 **Thomas M. Carpenter, City Attorney**

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