

**ORDINANCE NO.: 2024-14**

**AN ORDINANCE OF THE CITY OF LOXLEY, ALABAMA, REVISING AND EXPANDING THE SERVICE AREA IN THE FRANCHISE AGREEMENT WITH BALDWIN COUNTY SEWER SERVICE, LLC (THIRD AMENDMENT)**

**WHEREAS**, the City Council of the City of Loxley (“Loxley”) and the Baldwin County Sewer Service, LLC (“the Company”) are parties to a Franchise Agreement dated September 10, 2018, that was approved pursuant to Loxley Ordinance No. 2018-15 (“Franchise Agreement”); and

**WHEREAS**, the Franchise Agreement does not convey a franchise for the Company to operate in all of the corporate limits of Loxley, but rather it conveys a non-exclusive franchise to the Company to operate only in a defined area (“Service Area”); and

**WHEREAS**, Loxley and the Company previously amended the Franchise Agreement in or about October 2021 and again in or about January 2023, to add additional lands to the Service Area; and

**WHEREAS**, Loxley and the Company would both like to amend the Franchise Agreement again to add more lands to the Service Area thereby expanding the Company’s non-exclusive franchise rights.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Franchise Agreement dated September 10, 2018, is hereby amended to revise and expand the Service Area to include the property described and depicted on Exhibit “A” which is attached hereto and incorporated herein by reference.
2. That all other terms, requirements, conditions, and provisions of the Franchise Agreement and the prior amendments remain in full force and effect and are unchanged by this Amendment.

**PASSED AND ADOPTED**, this 29<sup>th</sup> day of April, 2024.

WITNESS:

Melissa Lawrence



CITY OF LOXLEY

*[Signature]*  
(Signature)  
By: Richard Teal  
Its: Mayor  
Date: 5-3-24

WITNESS:

\_\_\_\_\_

BALDWIN COUNTY SEWER SERVICE, INC.

\_\_\_\_\_  
(Signature)  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

CLERK'S CERTIFICATION

I, the undersigned qualified and acting Clerk of the City of Loxley, Alabama, do hereby certify that the above and foregoing is a true copy of an ordinance lawfully passed and adopted by the City of Loxley Council, at a regular meeting of such council, held on the 29<sup>th</sup> day of April, 2024, and that said Ordinance is on file in the office of the City of Loxley Clerk.

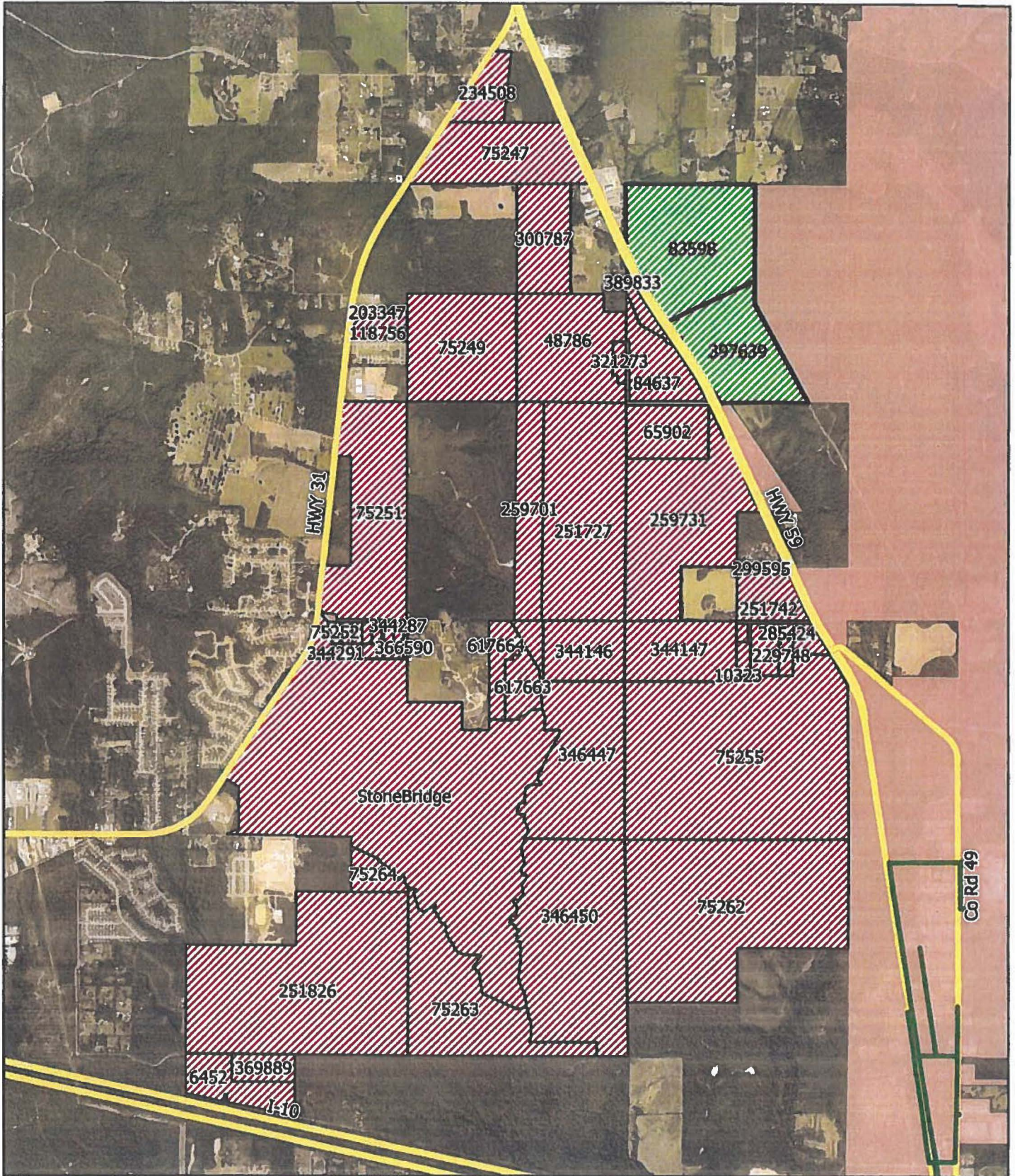
*Melissa Lawrence*  
Melissa Lawrence  
City Clerk/Treasurer

CERTIFICATION OF POSTING

I, Melissa Lawrence, City Clerk/Treasurer of the City of Loxley, Alabama, hereby certify that the above noted ordinance numbered 2024-14 was published by posting copies thereof in the Loxley Post Office, Loxley Public Library, and Loxley City Hall beginning May 3, 2024 and took effect five (5) days thereafter.





*Melissa Lawrence*  
Melissa Lawrence  
City Clerk/Treasurer

# Exhibit "A"



**DEPARTMENT OF PUBLIC WORKS**  
 6161 S. MAGNOLIA ST  
 LOXLEY, AL 36651

## BCSS Proposed Franchise Agreement Extension

-  Current Franchise Agreement
-  Franchise Agreement Proposal
-  Loxley Sewer Main
-  Loxley City Limits

