

ARTICLE 16 Miscellaneous Provisions

Section 1. Public Utilities - Water Works The City of Ashland, a municipal corporation, shall have the power to provide the residents of said City with such services as water, sewer, electric power, public transportation and such other public utilities as the people desire by majority vote; and to exact and collect compensation from the users of such public utility; provided, however, that any and all water and water works and water rights now owned or which may hereafter be acquired by said City, for the purpose of supplying the inhabitants thereof with water shall never be rented, sold or otherwise disposed of; nor shall the City ever grant any franchise to any person or corporation for the purpose of supplying the inhabitants of said City with water.

Section 2. Torts The City's immunity or liability for torts shall be as determined by State law.

Section 3. Existing Ordinances, Acts, Proceedings All existing ordinances in force when this act takes effect and not inconsistent herewith shall be and remain in full force after this act takes effect and thereafter until repealed by the Council. All actions and proceedings pending and all unfinished business whatsoever when this act takes effect shall thereafter be proceeded with according to the provisions of this act or any City ordinance applicable thereto and continued in force by this act. No suit, action or proceeding now pending in any Court shall abate by virtue of this act, and all persons in office shall continue to receive such compensation for their services during the balance of their term as appertained to the office at the time they were respectively elected or appointed thereto; and all rights vested or liabilities incurred when this act takes effect shall not thereby be lost, impaired or destroyed; all bonds theretofore issued by said City are hereby declared to be valid and of full force and effect, and all acts of the Council heretofore done in good faith for the benefit of the City and on which proceedings shall not be instituted prior to July 1, 1970 are hereby legalized and made valid in every particular.

Section 4. Repeal of Previously-Enacted Provisions All Charter provisions of the City enacted prior to the time that this Charter takes effect are hereby repealed, except the provisions of the legislative Charter of 1898 relating to the Powers of the Chief of Police; that is, Article X, Section 1 compiled herein as Article XIV, Section 1; Powers and Duties of the Council - Taxation; that is, Article XII, Sections 1 and 2, compiled herein as Article XII, Sections 1 and 2; and Territory Excepted for Road Purposes and Licensing Purposes; that is, Article XVII, Section 1, compiled herein as Article XII, Section 3; and those provisions of the previous Charter Amendments included in the following:

- Article VII, Section 1, amended 11-2-54, compiled herein as Article IX, Section 1
- Article VII, Section 2, amended 1-28-09, compiled partially herein as Article IX, Sections 2 and 3
- Article VII, Section 3, of 1898 Charter, compiled herein as Article IX, Section 5
- Article XXVIII, Sections 1 and 2, amended 11-4-30 and 10-16-59, compiled herein as Article XVII, Sections 1 and 2
- Article XIX, Sections 1, 2, and 4, amended 12-15-08, and Section 3, amended 4-23-51, compiled herein as Article XIX, Sections 1, 2, 3 and 4
- Article XXVII, Sections 1, 2, 3, and 4 amended 11-11-28, compiled herein as Article XVIII, Sections 1, 2, 3, and 4
- Article XXIX, Section 1, amended 11-4-30, compiled herein as Article XX, Section 1
- Article XXXI, Section 1, amended 1938, compiled herein as Article XXI, Section 1
- Article X, Section 2, amended 7-17-19, compiled herein as Article XIV, Section 2
- Article XIX, Section 1-C, amended 3-12-57, compiled herein as Article XIX, Section 1-C

Section 5. Time of Effect of Charter Amendment This amended Charter took effect on July 1, 1970, except that Amendments to Article III, Section 2; Article VIII, Section 2; Article X, Section 2; Article XIII, Section 1 and Article XXII took effect on June 6, 1972. Article IIX, Section 4 took effect on December 19, 2006.

