

ORDINANCE NO. _____

ORDINANCE OF THE TOWNSHIP OF EXETER AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP AND SERVICE ELECTRIC CABLEVISION, INC.

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, the Township of Exeter (hereinafter the “Township”) is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Township’s jurisdiction; and

WHEREAS, Service Electric Cablevision, Inc. (“Service Electric”) currently holds a cable franchise from the Township originally granted to Service Electric or a predecessor entity; and

WHEREAS, Service Electric has requested that the Township renew Service Electric’s franchise to maintain, construct, operate, and upgrade its Cable System over, under and along the aforesaid rights-of-way for use by the Township’s residents; and

WHEREAS, the aforesaid rights-of-way used by Service Electric are public properties acquired and maintained by the Township and held in trust on behalf of citizens of the Township and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Township desires to protect and manage the aforesaid rights-of-way, establish standards of Subscriber service, maintain a technologically advanced Cable System, receive Franchise Fees for Service Electric’s use of the Township’s rights-of-ways as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain complimentary services, provide legal protections for the Township, and meet the current and future cable-related needs of its residents; and

WHEREAS, the Township held a public hearing on the subject of cable franchise renewal, including reviewing the cable operator’s past performance and identifying the Township’s future cable-related community needs; and

WHEREAS, the Township has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations; and

WHEREAS, the Township, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Service

Electric's franchise according to the terms and conditions contained in the cable franchise agreement negotiated between the Township and Service Electric; and

WHEREAS, the Township has determined that Service Electric has the financial, legal and technical ability to provide cable services to subscribers located in the Township;

NOW THEREFORE, BE IT ENACTED AND ORDAINED that the Township Board of Supervisors do hereby approve the cable franchise agreement negotiated with Service Electric, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ORDAINED this ____ day of _____, 2019.

ATTEST:

TOWNSHIP OF EXETER

Chairman, Board of Supervisors