

ORDINANCE NO. 33-93

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH ARMSTRONG UTILITIES FOR THE RENEWAL OF AUTHORIZATION FOR THE CONSTRUCTION AND OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE CITY OF ASHLAND, OHIO.

WHEREAS, Armstrong Utilities, Inc. has operated and desires to continue to operate a cable television system within the City of Ashland, Ohio; and

WHEREAS, during the six month period which began with the thirty-sixth month before the franchise expiration, the City of Ashland commenced proceedings to afford the public in the franchise area appropriate notice and participation for the purpose of 1) identifying the future cable-related community needs and interests and 2) reviewing the performance of the cable operator under the franchise during the then current franchise term; and

WHEREAS, upon completion of the review proceedings, Armstrong Utilities, Inc. submitted a proposal for renewal; and

WHEREAS, this Council, having given public notice of such proposal, and having thoroughly considered the terms and conditions thereof, desires to renew the franchise to Armstrong Utilities, Inc.; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, -5- members thereto concurring:

Section 1. That the franchise agreement with Armstrong Utilities, Inc., for the provision of a cable television system within the City of Ashland, Ohio, be renewed and that the Mayor is hereby authorized and directed to enter into said renewal agreement.

Section 2. That the terms and conditions of said renewal agreement shall be as set forth in the "City of Ashland Cable Television System Agreement," a copy of which is attached hereto and incorporated herein, in its entirety.

Section 3. That all proceedings pertaining to this franchise agreement have been conducted in accordance within all applicable local, state and federal laws and regulations.

Section 4. That this renewal agreement shall become effective from and after the expiration of the existing franchise agreement.

Section 5. That any costs incurred in connection with the adoption of this Ordinance

shall be paid by the franchise grantee.

Section 6. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: MAY 4, 1993


President of Council

Attest: Claine L. Westman
Clerk

Approved: Don M. Fisher
Mayor

Approved as to form and correctness:

Richard J. Wolfe²
Director of Law

Date: 6 May, 1993