

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2018 - 11

AN ORDINANCE OF THE GREEN MOUNTAIN FALLS, COLORADO, APPROVING A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWN AND COMCAST OF COLORADO/PENNSYLVANIA/WEST VIRGINIA, LLC, TO OPERATE A CABLE SYSTEM IN THE TOWN PURSUANT TO THE TERMS OF SUCH CABLE FRANCHISE AGREEMENT

WHEREAS, Comcast of Colorado/Pennsylvania/West Virginia, LLC (“Comcast”), has held a franchise and has been operating a cable system in the Town;

WHEREAS, pursuant to 47 U.S.C., Sec. 546(h), the Town may renew a cable franchise with a cable operator after affording the public adequate notice and opportunity for comment;

WHEREAS, the Town has considered Comcast’s performance and technical, financial and legal ability to provide the services, facilities and equipment to meet the future cable-related community needs and interests; and

WHEREAS, on December 18, 2018, the Board of Trustees held a properly-noticed public hearing to consider adoption of the proposed cable franchise agreement and accepted public comment on the same.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. The Cable Franchise Agreement between the Town of Green Mountain Falls and Comcast, attached hereto and incorporated herein as **Exhibit A**, is hereby approved, and Comcast is hereby granted a franchise to operate a cable system in the Town pursuant to the terms of such Cable Franchise Agreement. The Mayor is hereby authorized to execute the same.

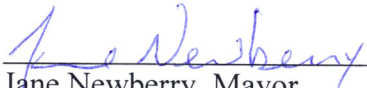
Section 2. Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Green Mountain Falls, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

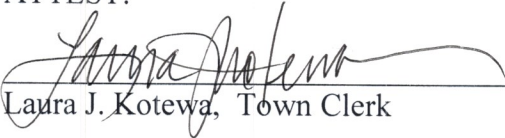
Section 4. Effective Date. This Ordinance shall be effective thirty (30) days after passage.

INTRODUCED AND ORDERED PUBLISHED the 4 day of December, 2018, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado.

ADOPTED AND ORDERED PUBLISHED the 18 day of December, 2018.


Jane Newberry, Mayor

ATTEST:


Laura J. Kotewa, Town Clerk

APPROVED AS TO FORM:

Jeff Parker, Town Attorney

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