

MONROE TOWNSHIP

CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE TOWNSHIP OF MONROE, CUMBERLAND COUNTY, PENNSYLVANIA, ENTITLED "COMCAST FRANCHISE AGREEMENT," WHICH ESTABLISHES THE CONTRACTUAL PROVISIONS PURSUANT TO WHICH THE TOWNSHIP WILL GRANT TO COMCAST OF PENNSYLVANIA/MARYLAND, LLC, COMCAST OF SOUTHEAST PENNSYLVANIA, LLC AND COMCAST OF COLORADO/PENNSYLVANIA/WEST VIRGINIA, LLC, A NON-EXCLUSIVE, CABLE COMMUNICATIONS FRANCHISE AS SET FORTH THEREIN INCLUDING, WITHOUT LIMITATION, THE GRANT OF AUTHORITY; THE CONSTRUCTION AND MAINTENANCE OF CABLE SYSTEM; SERVICE OBLIGATIONS; FEES AND CHARGES TO CUSTOMERS; CUSTOMER SERVICE STANDARDS; OVERSIGHT AND REGULATION BY FRANCHISING AUTHORITY; TRANSFER OF CABLE SYSTEM OR FRANCHISE; INSURANCE AND INDEMNITY; SYSTEM DESCRIPTION AND SERVICE; ENFORCEMENT AND REVOCATION PROCEEDINGS; AND COMPETITIVE EQUITY.

WHEREAS, Monroe Township, through its Solicitor, has negotiated the terms of a Franchise Agreement with Comcast of Pennsylvania/Maryland, LLC, Comcast of Southeast Pennsylvania, LLC and Comcast of Colorado/Pennsylvania/West Virginia, LLC; and

WHEREAS, the Franchise Agreement is in its final form and the Township wishes to adopt and execute said Agreement; and

WHEREAS, the Board of Supervisors of Monroe Township believes that it is in the best interests of the Township and its residents to enter into the Franchise Agreement with Comcast; and

WHEREAS, this Ordinance and the objectives leading to its enactment area authorized by "The Second Class Township Code", Act of May 1, 1933, P.L. 103, No. 69, reenacted and amended July 10, 1947, P.L. 1481; and further reenacted and amended November 9, 1996, P.L. 350, No 60 (53 P.S. Section 65101 et seq.).

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Monroe Township as follows:

SECTION 1. The Preamble and Whereas clauses as set forth above are incorporated herein by reference as if fully set forth herein.

SECTION 2. The Board of Supervisors hereby authorizes the execution of that certain agreement entitled "Comcast Franchise Agreement" (the "Agreement").

SECTION 3. The Board of Supervisors hereby adopts as an Ordinance of the Township the Agreement attached hereto and incorporated herein as if here set forth in its entirety, and shall, as provided for herein, be treated and considered as a new and original comprehensive ordinance. The Chairman of the Board of Supervisors is authorized to execute said Agreement.

SECTION 4. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 5. This Ordinance shall become effective upon counter-execution of the Agreement by or at the express written direction of Jim Samaha, Senior Vice President of the Keystone Region of Comcast of Pennsylvania/Maryland, LLC, Comcast of Southeast Pennsylvania, LLC and Comcast of Colorado/Pennsylvania/West Virginia, LLC, as set forth in the Agreement.

ENACTED AND ORDAINED this 13 day of March, 2014.

ATTEST:

MONROE TOWNSHIP BOARD OF SUPERVISORS

Maryanne E. Metzger

Samuel M. Simmons
Samuel M. Simmons

Philip Kehoe

Philip Kehoe

A.W. Castle
A.W. Castle