

**EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 554

AN ORDINANCE OF THE TOWNSHIP OF EAST NORRITON, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA ADOPTING AND APPROVING A NON-EXCLUSIVE CABLE FRANCHISE AGREEMENT BETWEEN EAST NORRITON TOWNSHIP AND COMCAST CABLE OF SOUTHEAST PENNSYLVANIA LLC

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, the Telecommunications Act of 1996 and the Pennsylvania Second Class Township Code, the Board of Supervisors of East Norriton Township is authorized to grant and renew franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Township's jurisdiction; and

WHEREAS, Comcast Cable of Southeast Pennsylvania, LLC ("Comcast") currently holds a cable franchise from East Norriton Township ("Township"); and

WHEREAS, Comcast has requested a renewal of its franchise to maintain, construct, operate, and upgrade its cable system over, under and along the aforesaid rights-of-ways for use by the Township's residents; and

WHEREAS, the Township desires to protect and manage the aforesaid rights-of-way, require high standards of customer service, receive complimentary services for its public buildings, obtain the use of public, educational and governmental channels, receive franchise fees as provided by federal law, establish certain reporting requirements and provide for the current and future cable-related needs of its residents; and

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

WHEREAS, the Township, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Comcast's franchise according to the terms and conditions contained therein.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the East Norriton Township Board of Supervisors, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION I. ADOPTION OF CABLE FRANCHISE AGREEMENT

1. The Township does hereby adopt and approve the Cable Franchise Agreement (“Agreement”) recently negotiated with Comcast in the year 2014 and subject of this Ordinance, including all of the terms and conditions contained therein.
2. The proper officers of the Township are hereby authorized to execute such documents as necessary to effectuate the terms and conditions of the Agreement and thereby effectuate the terms of this Ordinance.
3. All terms, conditions and provisions of the Agreement adopted hereunder are incorporated as part of this Ordinance and shall be subject to enforcement as provided by law.

SECTION II. REPEALER

Any and all other prior Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION III. SAVINGS CLAUSE

Should any portion, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, void or unconstitutional, the Board of Supervisors hereby declares its intent that the remainder of this Ordinance shall have been adopted, without regard to the invalid, void or unconstitutional provision or provisions.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of East Norriton Township.

ORDAINED AND ENACTED, by the Board of Supervisors of the Township of East Norriton, Montgomery County, Commonwealth of Pennsylvania, this 22nd day of July, 2014.



ATTEST:

A handwritten signature in black ink, appearing to read "Donald Delamater".

DONALD DELAMATER, SECRETARY

**EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS**

A large, stylized handwritten signature in black ink, likely belonging to John A. Zurzola.

JOHN A. ZURZOLA, CHAIRMAN