

**ORDINANCE GRANTING A FRANCHISE TO USE THE
STREETS AND OTHER PUBLIC LANDS OF THE CITY OF
HARRISONBURG FOR THE OPERATION OF A CABLE
SYSTEM**

BE IT ORDAINED, by the City Council of the City of Harrisonburg, Virginia that a non-exclusive franchise be granted pursuant to Virginia Code Sections 15.2-2100, 15.2-2102, and 56-462, and Harrisonburg City Code Section 2-1-11.

WHEREAS, Shentel Cable Television LLC has asked that it be granted a franchise to place its cable system equipment and facilities within the Public Way, as defined in a form of franchise agreement as drafted and annexed and incorporated into this ordinance;

WHEREAS, consistent with the above referenced provisions of the Code of Virginia and the Harrisonburg City Code the City may grant a grant a franchise for a cable system;

WHEREAS, this matter has been properly advertised, and the Harrisonburg City Council, at its April 23, 2019 meeting conducted an opening of and bids and conducted a public hearing on the proposed ordinance and franchise agreement;

WHEREAS, the provisions of Virginia Code Section 15.2-2100 and Harrisonburg City Code Section 2-1-11 require a recorded affirmative vote of three-fourths of all members elected to Council to grant a franchise;

WHEREAS, these recitals are deemed an integral part of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Harrisonburg that it hereby finds that the public welfare will be enhanced by the grant of the franchise requested by Shentel Cable Television LLC and it is in the best interests of the City to grant and **HEREBY GRANTS** a franchise to use and occupy the streets, alleys, and sidewalks of the City of Harrisonburg throughout the City, for the construction, maintenance and operation, in, under, along and through said streets, alleys, and sidewalks, a system of equipment, appurtenances, and other fixtures and facilities necessary for conducting a cable system for public and private customers in, to, and throughout the City, all upon the conditions contained in the Cable Franchise Agreement, a copy of which is annexed and incorporated hereto, between the City and Shentel Cable Television LLC; and it is

FURTHER ORDAINED that the Harrisonburg City Manager is authorized to sign such Cable Franchise Agreement and any other documents embodying the terms approved herein on behalf of the City, upon approval by the City Attorney, and it is

FURTHER ORDAINED that such Franchise shall be effective upon the date which it is signed by the City and Shentel Cable Television LLC and shall extend for a term as provided in the agreement.

Adopted and approved this 14th day of May, 2019.

Deanna Reel

MAYOR

ATTESTE:

Pamela Ulmer

CITY CLERK