

**ORDINANCE GRANTING A FRANCHISE TO USE CERTAIN SIDEWALKS OF THE
CITY OF HARRISONBURG**

BE IT ORDAINED, by the City Council of the City of Harrisonburg, Virginia:

Section 1. That a franchise is hereby granted in accordance with Harrisonburg City Code Section 2-1-11 to Keezell, LLC, a Virginia limited liability company (“Franchisee”), to use, occupy, and alter the portion of the sidewalk on the north side of Newman Avenue located between South Main Street and Federal Street as shown in the hatched area in the attached Exhibit A (the “Sidewalk Area”).

Section 2. This franchise and the rights and privileges hereby granted and conferred are conditioned upon the Franchisee entering into the maintenance agreement, attached hereto as Exhibit B, with the City. The maintenance agreement shall be recorded in the land records of the Clerk’s Office of the Circuit Court of Rockingham County.

Section 3. Violation of the maintenance agreement shall be deemed a violation of the this franchise.

Section 4. Upon acceptance of this franchise by the Franchisee, it shall pay to the City the advertising costs incurred by the City in connection with the grant of this franchise.

Section 5. The rights, privileges, and duties granted hereby shall be reviewed by the City every five (5) years and this franchise shall expire forty (40) years from the date of passage of this ordinance.

This Ordinance shall be effective upon the date of its adoption.

ADOPTED AND APPROVED this _____ day of June, 2017.

MAYOR

ATTEST:

DEPUTY CITY CLERK