

**TOWNSHIP OF CHADDS FORD
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 170

AN ORDINANCE OF CHADDS FORD TOWNSHIP APPROVING AND AUTHORIZING EXECUTION OF A CABLE FRANCHISE RENEWAL AGREEMENT BETWEEN THE TOWNSHIP AND VERIZON PENNSYLVANIA, LLC.

WHEREAS, the Verizon Pennsylvania LLC (“Franchisee”) is a “cable operator” and Chadds Ford Township (“Township”) is a “local franchising authority” in accordance with Title VI of the Communications Act (“Communications Act”) (see 47 U.S.C. § 522(5), (10)) and the Township is authorized to grant one or more nonexclusive cable franchises to operate a Cable System within the Township pursuant to Title VI of the Communications Act;

WHEREAS, pursuant to the Communications Act, the Township previously granted to the Franchisee, effective as of January 22, 2007, a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the Township for a term of fifteen (15) years (the “Initial Franchise”);

WHEREAS, the Franchisee has operated a Cable System in accordance with the Initial Franchise as of the Effective Date on its existing Telecommunications Facilities consisting of a Fiber to the Premises Telecommunications Network (“FTTP Network”) in the Township which also transmits Non-Cable Services pursuant to authority granted by applicable state law and Title II of the Communications Act, and which are not subject to Title VI of the Communications Act or this Agreement;

WHEREAS, the Franchisee has requested that the Township renew the Franchisee’s Franchise to provide Cable Service to residents of the Township;

WHEREAS, pursuant to and in accordance with applicable federal and state law, the Township undertook a process to determine whether it should renew the Initial Franchise and the terms for such a renewal;

WHEREAS, the Township has examined the past performance of the Franchisee and has identified the Township’s future cable-related needs and interests;

WHEREAS, following good faith negotiations between the parties, the Township and the Franchisee have agreed on the terms for a Franchise Renewal Agreement under which the Franchisee will continue to operate its Cable System in the Township; and

WHEREAS, the Township has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations.

Exhibit "A"

CABLE FRANCHISE RENEWAL AGREEMENT

BETWEEN

CHADDS FORD TOWNSHIP

AND

VERIZON PENNSYLVANIA LLC

NOW THEREFORE, BE IT ORDAINED that the Chadds Ford Township Board of Supervisors does hereby approve the execution of the Cable Franchise Renewal Agreement negotiated with the Franchisee, including all of the terms and conditions contained therein, and does hereby authorize the execution of such Cable Franchise Renewal Agreement, in form and substance attached hereto and made a part hereof as Exhibit "A".

BE IT FURTHER ORDAINED that this Ordinance and the Agreement shall take effect and be in force five (5) days after enactment of this Ordinance.

ENACTED AND ORDAINED this 30th day of March, A.D., 2022.

**BOARD OF SUPERVISORS OF
TOWNSHIP OF CHADDS FORD**


SAMANTHA REINER, Chair


NOELLE BARBONE, Vice-Chair

FRANK MURPHY, Supervisor

Attest:

MARYANN FURLONG, Township Secretary

(Township Seal)