

SPRING TOWNSHIP

1309 Blanchard St.
Bellefonte, PA 16823

Ordinance No. 02-2023

ORDINANCE OF THE TOWNSHIP OF SPRING AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP OF SPRING AND SHENANDOAH CABLE TELEVISION, LLC

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the federal Communications Commission and Pennsylvania law, the Township of Spring (hereinafter the "Township of Spring, Centre County") is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Township's jurisdiction; and

WHEREAS, pursuant to Title VI of the Communications Act, the regulations of the Federal Communications Commission (hereinafter referred to as the "FCC") and Pennsylvania law, the Township of Spring 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 of Spring jurisdiction; and

WHEREAS, Shenandoah Cable Television, LLC (hereinafter the "Grantee") has requested that the Township of Spring grant Grantee a franchise to maintain, construct, operate, and maintain its Cable System over, under and along the aforesaid rights-of-ways for use by the Township of Spring residents; and

WHEREAS, the aforesaid Public Rights-of-Way used by Grantee are public properties acquired and maintained by the Township of Spring on behalf of the citizens of the Township of Spring, and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Township of Spring desires to protect and manage the aforesaid rights-of- way, establish standards of Subscriber service, maintain a technologically advanced Cable System, receive Franchise Fees for Grantee's use of the Township of Spring public rights-of-ways as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain complimentary services, provide legal protections for the Township of Spring, and meet the current and future cable-related needs of its residents; and

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

WHEREAS, the Township of Spring has determined that the public interest would be served by granting Grantee a franchise according to the terms and conditions contained herein;

NOW THEREFORE, BE IT ORDAINED that the Township of Spring Board of Supervisors does hereby approve the cable franchise agreement negotiated with Grantee, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ENACTED AND ORDAINED this 2 day of Oct, 2023

ATTEST:

M. J. O'Neil

BOARD OF SUPERVISORS:

Terry Perryman
Terry Perryman, Chairman

David Capperella
David Capperella, Vice-Chairman

Frank Royer
Frank Royer, Supervisor