

CALN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021 - _____

**AN ORDINANCE OF THE TOWNSHIP OF CALN AUTHORIZING EXECUTION OF A
CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP AND
VERIZON PENNSYLVANIA LLC**

WHEREAS, Verizon Pennsylvania LLC (the "Franchisee") is a "cable operator" and Caln Township is a "local franchising authority" in accordance with Title VI of the 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, the Township granted to the Franchisee, effective as of September 14, 2006, a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the Township for a term of ten (10) years with an automatic five (5) year renewal (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.

NOW THEREFORE, BE IT ENACTED by the Caln Township Board of Commissioners that the Cable Franchise Renewal Agreement Between the Township of Caln and Verizon Pennsylvania LLC which is attached hereto as Exhibit 'A", is approved and the President of the Board is authorized to execute such Agreement.

ENACTED AND ORDAINED this ____ day of _____, 2021.

ON BEHALF OF CALN TOWNSHIP
BOARD OF COMMISSIONERS

ATTEST:

**CALN TOWNSHIP
BOARD OF COMMISSIONERS**

Kristen Denne
Township Secretary

Paul Mullin, President