

ORIGINAL

ORDINANCE NO. 601

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON GRANTING A FRANCHISE TO COMCAST OF WASHINGTON, LLC AND COMCAST OF WASHINGTON IV, INC. TO OPERATE A CABLE SYSTEM IN THE PUBLIC RIGHTS-OF-WAY TO PROVIDE CABLE SERVICES IN THE CITY SHORELINE FOR A SEVEN YEAR TERM

WHEREAS, the City of Shoreline ("City") has negotiated a Franchise Agreement with Comcast of Washington, LLC and Comcast of Washington IV, Inc. ("Comcast") granting Comcast a franchise, authority, right and privilege for a period of seven (7) years, with an automatic two-year extension unless terminated by either party, to construct, install, maintain, operate and repair a cable television system in the City, as set forth in the Franchise Agreement attached hereto, labeled Exhibit A and hereby incorporated by reference; and

WHEREAS, Comcast has requested that the City grant it a new franchise for the provision of cable television services within the City; and

WHEREAS, pursuant to RCW 35A.11.030, 35A.47.040 and 47 U.S.C. section 541(a)(1), the City has the power to grant franchises and is a franchising authority in accordance with Title VI of the Cable Act (47 U.S.C. §522(10)); and

WHEREAS, the City has analyzed and considered the technical ability, financial condition, legal qualifications, general character of Comcast, and all other conditions resulting from the grant of this Franchise, and has determined that it is in the best interest of the City and its residents to grant a cable Franchise to Comcast;

WHEREAS, Comcast and the City agree to be bound by the conditions hereinafter set forth;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Grant of Franchise. Pursuant to RCW 35A.11.030 and 35A.47.040, the City of Shoreline hereby grants a nonexclusive franchise to Comcast of Washington, LLC and Comcast of Washington IV, Inc. ("Comcast") according to the terms and conditions set forth in Exhibit A attached hereto and incorporated herein by the reference as if set forth in full. Subject to the provisions therein, the term of the franchise shall be for a period of seven (7) years from the effective date of the franchise, as defined in Exhibit A, with an automatic two-year extension unless terminated by either party, and shall grant Comcast the right, privilege and authority to construct, maintain, operate, and repair a cable system in, on, across, over, along, under, upon, through and below the public rights-of-way to provide cable services in the City of Shoreline, all as provided in Exhibit A.

Section 2. Acceptance of Franchise. The franchise granted by Section 1 of this Ordinance shall be void and of no effect unless Comcast files with the City Clerk a signed franchise agreement

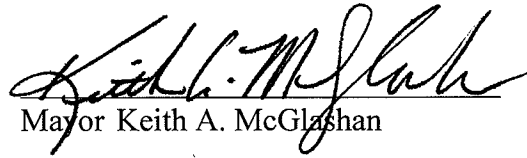
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accepting all of its terms and conditions within sixty (60) days after the Effective Date of this Ordinance.

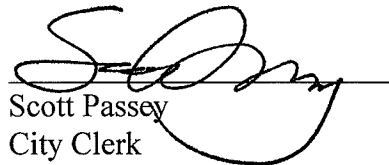
Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Effective Date. Pursuant to RCW 35A.47.040, this ordinance has been passed at least five days after its first introduction and by a majority of the whole membership of the City Council at a regular meeting. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication; provided that this Ordinance and the franchise granted hereby shall become null and void, if the requirements of Section 2 are not met.

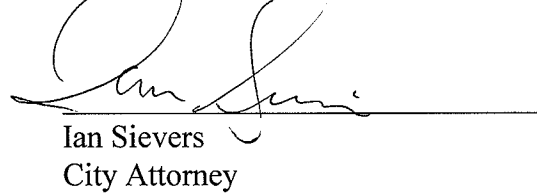
ADOPTED BY THE CITY COUNCIL ON AUGUST 8, 2011.


Mayor Keith A. McGlashan

ATTEST:


Scott Passey
City Clerk

APPROVED AS TO FORM:


Ian Sievers
City Attorney

Publication Date: August 11, 2011
Effective Date: August 16, 2011