

BOROUGH OF WEST CHESTER
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 02 - 2021

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA AUTHORIZING EXECUTION OF A CABLE FRANCHISE RENEWAL AGREEMENT BETWEEN THE BOROUGH AND VERIZON PENNSYLVANIA LLC.

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

WHEREAS, the Borough granted to the Franchisee, effective as of July 19, 2006, a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the Borough for a term of ten (10) years with an automatic renewal term of five (5) 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 Borough 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 Borough renew the Franchisee’s Franchise to provide Cable Service to residents of the Borough;

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

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

WHEREAS, following good faith negotiations between the parties, the Borough 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 Borough; and

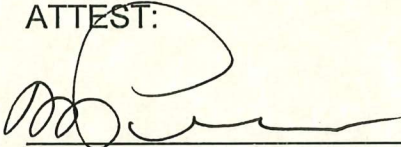
WHEREAS, the Borough has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal and state laws and

is in compliance with Section 301.A of the Borough's Home Rule Charter and Section 9-3 of the Borough Code.

NOW THEREFORE, BE IT ORDAINED that the Borough Council for the Borough of West Chester does hereby approve and authorize the execution of the Cable Franchise Renewal Agreement which is attached hereto as Exhibit "A".

ENACTED AND ORDAINED this 17 day of MARCH, 2021.

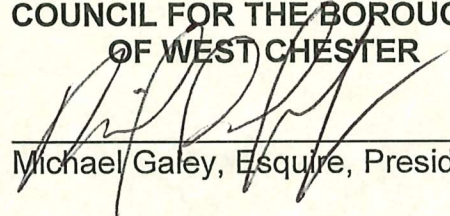
ATTEST:



Michael A. Perrone, Secretary

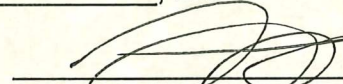
**COUNCIL FOR THE BOROUGH OF
OF WEST CHESTER**

By:



Michael Galey, Esquire, President

APPROVED THIS 17 DAY OF MARCH, 2021.



Jordan Norley, Mayor