

ORDINANCE NO. 2024

AN ORDINANCE OF THE CITY OF SELAH, WASHINGTON GRANTING A NON-EXCLUSIVE FRANCHISE TO FALCON VIDEO COMMUNICATIONS, L.P., LOCALLY KNOWN AS CHARTER COMMUNICATIONS TO ERECT, CONSTRUCT, EXTEND, OPERATE AND MAINTAIN IN, UPON, ALONG, ACROSS, ABOVE, OVER AND UNDER THE STREET RIGHTS-OF-WAY A CABLE SYSTEM.

WHEREAS, Falcon Video Communications, L.P., locally known as Charter Communications, currently has a franchise agreement with the City of Selah for use of the City's rights-of-way for its cable system;

WHEREAS, the current agreement is due to expire and it is the desire of the parties to enter into a new agreement concerning Charter's continuing use of City rights-of-way; and,

WHEREAS, the City of Selah and Charter have negotiated a mutually acceptable franchise agreement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. Franchise Agreement – Authorization to Sign and Incorporation by Reference.

The Mayor is authorized to sign the attached Franchise Agreement between the City of Selah and Falcon Video Communications, L.P., locally known as Charter Communications. The Franchise Agreement is made a part of and incorporated into this Ordinance by reference as if fully set forth herein.

Section 2. Severability.

Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date.

This ordinance shall be in full force and effect 5 days after its passage, approval, and publication as provided by law.

ORDAINED this 8th day of August, 2017.

Sherry Raymond

Sherry Raymond, Mayor

ATTEST:

Dale Novobielski

Dale Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

Robert F. Noe

Robert F. Noe, City Attorney

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