

BOROUGH OF ORWIGSBURG

Schuylkill County, Pennsylvania

ORDINANCE NO. 203

AN ORDINANCE GRANTING UNTO TELEVISION COMMUNICATIONS CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE, RIGHT AND PRIVILEGE TO OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE BOROUGH OF ORWIGSBURG; AUTHORIZING THE PROPER BOROUGH OFFICIALS TO EXECUTE A FRANCISE AGREEMENT WITH TELEVISION COMMUNICATIONS CORPORATION.

WHEREAS, TELEVISION COMMUNICATIONS CORPORATION has requested the Borough Council of the Borough of Orwigsburg to grant to it a franchise to operate a Community Antenna Television System within the Borough of Orwigsburg; and

WHEREAS, said Community Antenna Television System will, to a large extent, be attached to poles within the Borough of Orwigsburg, and the cables, wires, and other appurtenances will cross the highways, streets, lanes, alleys, sidewalks and private lands within the Borough of Orwigsburg; and

WHEREAS, it is the desire of the Borough Council of the Borough of Orwigsburg to provide its citizens with the reception of television and radio signals through the means of a Community Antenna Television System.

NOW, THEREFORE, BE IT ENACTED and ORDAINED, by the Borough Council of the Borough of Orwigsburg, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1. The Borough of Orwigsburg does hereby grant unto TELEVISION COMMUNICATIONS CORPORATION, a franchise and the right and privilege to construct, maintain and operate within said Borough a Community Antenna Television System, meaning the transmission and distribution to the residents of the Borough of electro-magnetic signals, including signals carrying FM Radio or television programs, or both. Programs to include any type of audio or visual information whether created by the company or by others.

Section 2. For the purpose set forth in Section 1 hereof, the Borough Council of the Borough of Orwigsburg shall enter into a written franchise agreement with TELEVISION COMMUNICATIONS CORPORATION, setting forth the terms and conditions of said franchise, which written agreement of franchise, and all amendments and alterations thereto, shall be a part of this ordinance as though the same were set forth herein in full.

Section 3. If any clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections of this ordinance. It is hereby declared to be the intent of the Borough Council of the Borough of Orwigsburg that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

Section 4. All ordinances, or resolutions, or parts of ordinances or resolutions, conflicting with this ordinance are hereby repealed insofar as the same affects this ordinance.

ADOPTED, ENACTED and ORDAINED into an ordinance, this 10th day
of February , A. D., 1971.

BOROUGH OF ORWIGSBURG

David M. Beyer
President of Borough Council

ATTEST:

Ernest L. Brown
Secretary

APPROVED: This 10th day of February , A. D., 1971.

James F. Orwig
MAYOR