



ORDINANCE NO.: 2620  
INTRODUCED BY: Lopez

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE BY THE CITY OF THORNTON TO HERITAGE CABLEVISION OF TENNESSEE, INC. AND UNITED CABLE TELEVISION ACQUISITION CORPORATION, ITS SUCCESSORS AND ASSIGNS FOR THE RIGHT TO MAKE REASONABLE USE OF AND ERECT, CONSTRUCT, OPERATE AND MAINTAIN THROUGH THE PUBLIC RIGHTS-OF-WAY, EASEMENTS AND OTHER PUBLIC PROPERTY ANY EQUIPMENT NECESSARY AND APPURTENANT TO THE OPERATION AND MAINTENANCE OF A CABLE SYSTEM AND THE PROVISION OF CABLE SERVICES TO CITIZENS WITHIN THE CITY.

WHEREAS, Heritage Cablevision of Tennessee, Inc. and United Cable Television Acquisition Corporation, doing business as AT&T Cable Services ("AT&T") currently holds a cable franchise ("Franchise") with the City of Thornton ("City"), granted by Ordinance No. 1370, on August 30, 1984; and

WHEREAS, AT&T's Franchise with the City was scheduled to expire by its own terms on February 28, 2000, but was extended by Ordinance No. 2600 and expired on June 30, 2000 at which time a revocable permit was granted to AT&T to operate until this ordinance is considered, based on good faith negotiations between the City and AT&T for the renewal of the Franchise; and

WHEREAS, AT&T and the City have negotiated a renewal of the existing Franchise, upon terms and conditions contained therein; and

WHEREAS, Chapter 15 of the City Charter provides that all franchises be granted only by ordinance after a public hearing; and

WHEREAS, it is in the best interest of the citizens of the City and will promote the public welfare for a renewal of the Franchise under new terms and conditions to be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That the City Manager is authorized and directed to execute on behalf of the City, and the City Clerk to attest, the Franchise Agreement, pursuant to the terms and conditions contained therein, between Heritage Cablevision of Tennessee, Inc. and United Cable Television Acquisition Corporation and City of Thornton, which Franchise Agreement is attached hereto and incorporated herein by this reference as Exhibit A.

2. This ordinance shall take effect upon final passage and upon the filing of an Unconditional Acceptance of all Terms of the Franchise Agreement by Heritage Cablevision of Tennessee, Inc. and United Cable Television Acquisition Corporation.