BOROUGH OF WEST VIEW
ORDINANCE NO.1510

AN ORDINANCE OF THE BOROUGH OF WEST VIEW, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH AND COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC.

WHEREAS, pursuant to the Cable Communications Policy Act of 1984, the Cable Television Consumer Protection and Competition Act of 1992, and the Telecommunications Act of 1996, the regulations of the Federal Communications Commission and Pennsylvania law, the Borough of West View (hereinafter the "Borough") is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Borough's jurisdiction; and

WHEREAS, Comcast Cable Communications Management, LLC ("Comcast") currently holds a cable franchise from the Borough by virtue of a cable franchise agreement which expired in September 8 of of 2019; and

WHEREAS, Comcast has requested that the Borough renew Comcast's franchise to maintain, construct and operate its Cable System over, under, and along the aforesaid public rights-of-way; and

WHEREAS, the aforesaid public rights-of-way used by Comcast are public properties acquired and maintained by the Borough on behalf of the citizens of the Borough, and the right to use said rights-of-way is a valuable property right; and

WHEREAS, the Borough desires to protect and manage the aforesaid rights-of-way, establish standards of subscriber service, maintain a technologically advanced cable system, receive franchise fees for Comcast's use of the Borough's public rights-of-way as provided by federal law, obtain the use of an educational and governmental channel, establish certain reporting requirements, obtain certain services, provide legal protections for the Borough, and meet the current and future cable-related needs of its residents; and

WHEREAS, the Borough held a public hearing on the subject of cable franchise renewal, including reviewing the cable operator's past performance and identifying the Borough's future cable-related community needs; and

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

WHEREAS, the Borough, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Comcast's franchise according to the terms and conditions contained herein;

NOW THEREFORE, BE IT ORDAINED that the Council of the Borough of West View does hereby approve the cable franchise agreement negotiated with Comcast, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ORDAINED AND ENACTED THIS 13 th day of August 2020.

ATTEST:

BOROUGH OF WEST VIEW

_____
Secretary/Manager
Bruce A Fromlak

_____
President, Borough Council
M. Kimberly Steele

Approved as to form:

_____
Mayor, Borough of West View
John R. Henry