

O R D I N A N C E N O. 1005

AN ORDINANCE GRANTING SLIDELL CABLEVISION, INC. THE RIGHT AND PRIVILEGE TO CONSTRUCT, ERECT, MAINTAIN AND OPERATE TOWERS, POLES, WIRES, ANCHORS, CABLES, MANHOLES, CONDUITS AND OTHER ELECTRONIC EQUIPMENT ALONG, ACROSS, ON, OVER, THROUGH AND ABOVE AND UNDER THE PUBLIC STREETS, AVENUES, ALLEYS, ROADS AND HIGHWAYS AND OTHER PUBLIC PLACES OF AND WITHIN THE CITY OF SLIDELL, LOUISIANA, FOR THE PURPOSE OF OPERATING A COMMUNITY TELEVISION ANTENNA SERVICE; IN THE ABOVE CITY.

BE IT ORDAINED by the Mayor and the Board of Aldermen of the City of Slidell, Louisiana, that:

SECTION I:

SLIDELL CABLEVISION, INC., hereinafter referred to as "Grantee", is hereby granted the nonexclusive right and privilege (to the extent the exercise thereof does not infringe on or interfere with the exercise of rights heretofore granted) to construct, operate and maintain towers, poles, wires, anchors, cables, manholes, conduits and other television conductors and fixtures necessary to the maintenance and operation of a Community Antenna Television System along, across, on, over, through, above and under the public streets, avenues, alleys, servitudes, rights-of-way, roads and highways and other public places in the City of Slidell, Louisiana, hereinafter referred to as "The City".

SECTION II:

The poles normally used for said cables and lines shall be those erected and maintained by the Southern Bell Telephone and Telegraph Co. and Central Louisiana Electric Co., or either of them, when and where practical, provided satisfactory rental agreements can be entered into with the said utility companies.

SECTION III:

Any and all streets, sidewalks or other public ways that may be disturbed and/or damaged in the construction of said lines, shall immediately be repaired by the Grantee at its expense and to the satisfaction of the Mayor and Board of Aldermen of the City of Slidell.

SECTION IV:

All coaxial cables erected shall meet minimum standards of any existing building code or such other standards as shall from time to time be fixed by the appropriate City authorities.

SECTION V:

Said Grantee shall be subject to all Ordinances presently enforced or that may hereinafter be passed, relative to the use of highways, streets, alleys, bridges or other public ways of said City.

SECTION VI:

The Grantee shall hold the City safe and harmless from all damages or claims for damages which may arise by reason of the negligence in construction, maintenance or other operation of said coaxial cables and any and all legal actions resulting from copyright infringement suits.

SECTION VII:

Any rights, permits, privileges or franchise granted shall be for the term of fifteen (15) years.

SECTION VIII:

The Grantee will furnish all schools, hospitals, and orphanages with an outlet free of any costs to said schools, hospitals, and orphanages.

SECTION IX:

The Grantee proposes and offers to pay to the City of Slidell three (3%) percent of its gross subscriber revenues to be paid semi-annually on or before the first day of January and on or before the first day of July of each and every year from and after the effective date of this Ordinance.

SECTION X:

The Grantee will maintain Workmen Compensation Insurance and Public Liability Insurance indemnifying itself, any sub-contractor, officers, and agents against the claims for personal injuries or accidental death which may arise from any operations under this franchise, whether such operations by Grantee, Grantee's subcontractor or any person directly or indirectly employed by either. The minimum amount of the insurance provided for in this section shall be ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS for any one person and THREE HUNDRED THOUSAND AND NO/100 (\$300,000.00) DOLLARS for any accident. The aforesaid insurance shall be maintained by the Grantee so long as Grantee shall operate the said system under the provisions of this Ordinance.

SECTION XI:

Grantee shall procure and pay for all occupational licenses and permits required by the City of Slidell and/or the State of Louisiana, and shall pay all ad valorem and other taxes or charges levied on its system and facilities, and nothing herein shall be construed to exempt Grantee from any such payments or charges.

SECTION XII:

Grantee shall operate its Community Antenna Television System in accordance with the laws of the State of Louisiana, of the Congress of the United States, and the regulations of the Federal Communications Commission which may now or hereafter be applicable thereto. Nothing herein shall be construed to grant Grantee any right or privilege lawfully within the jurisdiction of any other regulatory body or agency and Grantee shall secure and hold all necessary licenses, permits and authorizations as may be required in order to carry on a Community Antenna Television Service.

SECTION XIII:

If any section, sentence, clause or phrase of this Ordinance is held illegal, invalid or unconstitutional for any reason, such invalidity shall not affect the validity of the remaining portions of this Ordinance.

SECTION XIV:

The City of Slidell has reviewed Grantee's legal, character, financial, technical and other proposals and qualifications, as well as the adequacy and feasibility of its proposal for construction of the system, and has done so as part of a public proceeding affording due process.

SECTION XV:

Grantee shall complete construction of at least 20 percent of the system within one (1) year after receiving Commission certification, and shall thereafter within a four (4) year period extend energized trunk cable to the remainder of Slidell. However, the Grantee need not extend cable to those areas of Slidell where there would not be at least 55 homes in front of each mile of cable.

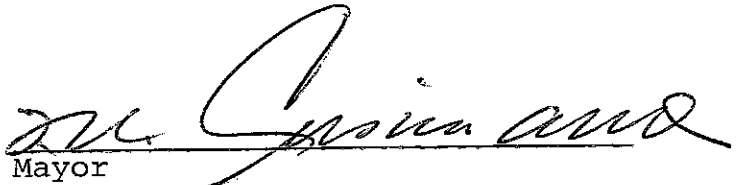
SECTION XVI:

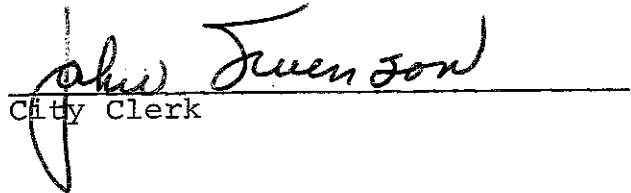
Grantee shall have a local office in Slidell, with a local telephone number to receive subscriber complaints during normal business hours. Grantee shall resolve all complaints within 72 hours, unless unavailability of parts renders this impossible. The City of Slidell hereby designates its City Clerk to be the official with primary responsibility for administration of the instant Ordinance, and for the implementation of Grantee's complaint procedures. Grantee shall provide notice of its procedures for reporting and resolving complaints to each subscriber at the time of initial subscription to the cable system.

SECTION XVII:

Any modifications of the provisions of the Commission's Rules dealing with franchise standards shall be incorporated into the instant Ordinance within one (1) year of adoption of the modification, or at the time of franchise renewal, whichever occurs first.

Introduced and adopted this 13th day of July , 1976.


Mayor


City Clerk