

CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Ordinance No.: **O-23-03**

Introduced by: City Council

Date Introduced: December 5, 2022

First Reading: December 5, 2022

Second Reading: December 12, 2022

Date Adopted:

Date Effective:

AN ORDINANCE concerning

FOR the purpose of the Mayor and Council of the City of Seat Pleasant Granting a Renewal of the Cable Franchise to Comcast of Maryland, LLC, and Authorizing a Franchise Agreement.

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the City of Seat Pleasant (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety, and welfare of the citizens of the municipality;

WHEREAS, the Mayor and Council have the power under §5-204(d) of the Local Government Article, Annotated Code of Maryland to grant non-exclusive cable franchises; and

WHEREAS, the Mayor and Council have adopted a cable ordinance to govern cable franchises that are located within the city; and

WHEREAS, the City entered into a cable franchise agreement with Comcast of Maryland, LLC which ended in 2015, but has been extended during the negotiation of the renewal of the franchise agreement; and

WHEREAS, the Mayor and Council authorized the negotiation of the renewal of the franchise agreement with Comcast of Maryland, LLC and said proposed agreement has been prepared and presented to the Mayor and Council; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to renew the cable franchise with Comcast of Maryland, LLC, within the corporate limits of the City, on condition that Comcast of Maryland, LLC. enter into a franchise agreement in substantially the form as attached to this Ordinance.

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of Seat Pleasant the renewal of the non-exclusive right to construct and operate a cable television system along the public rights of way in the City of Seat Pleasant of the Chapter 71 of the City Code and a franchise agreement between the City and Comcast Cable, LLC in a form substantially similar to that attached to this Ordinance. The City of Seat Pleasant is authorized to endorse the franchise agreement on behalf of the city.

Section 2. BE IT FURTHER ORDAINED AND ENACTED, by the Mayor and Council of Seat Pleasant that upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council.

SECTION 3. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this Ordinance or the property maintenance code adopted by this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

SECTION 5. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

SECTION 6. AND BE IT FURTHER ORDAINED BY THE SEAT PLEASANT CITY COUNCIL that the City Clerk shall certify to the adoption of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

COUNCIL OF THE CITY OF SEAT PLEASANT

Monica Higgs, Councilmember

Hope Love, Councilmember

Shireka McCarthy, Councilmember

Gerald R. Raynor, Sr., Councilmember

Kizzie Scott, Councilmember

Gloria L. Sistrunk, Councilmember

James Wright, Jr., Councilmember

ATTEST:

Dashaun N. Lanham, CMC
City Clerk

APPROVED:

This Ordinance was presented to the mayor for his approval or disapproval pursuant to Section C-313 of the Charter for Seat Pleasant this _____, 2022.

Dashaun N. Lanham, CMC
City Clerk

In accordance with Section C-313 of the Charter for Seat Pleasant, I hereby **(APPROVE)** **(DISAPPROVE)** of this Ordinance this _____, 2022.

Kelly Porter, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.