

ORDINANCE NO. 83-5

AN ORDINANCE AWARDING A NON-EXCLUSIVE  
FRANCHISE FOR A CABLE COMMUNICATIONS SYSTEM  
TO COX CABLE OF MICHIGAN CITY, INC.

WHEREAS, it has been reported to this Board that the City of Michigan City, Indiana, on the 17th day of July, 1980, entered into a contract with COX CABLE OF MICHIGAN CITY, IND., awarding said corporation a non-exclusive franchise to operate a cable communication system in said City; and,

WHEREAS, Cox Cable of Michigan City, Inc. has made a proposal to this Board for the extension of such a system into Meadowdale Subdivision and Orchard Highlands area, LaPorte County pursuant to which proposal the citizens of this County would have cable television available to them and this County would receive, in consideration of the granting of this franchise, a franchise fee of Three percent (3%) of annual gross revenues; and,

WHEREAS, it is deemed by this Board to be in the best interests of this County to grant Cox Cable of Michigan City, Inc., a non-exclusive franchise to extend its cable communication system into this County.

NOW, THEREFORE, BE IT ORDAINED by this Board as follows:

SECTION I. The County Commissioners of the LaPorte County, Indiana, hereby grants a non-exclusive franchise to Cox Cable of Michigan City, Inc. to provide cable television service utilizing its Michigan City facilities and system to the residents of Meadowdale Subdivision and Orchard Highlands area, LaPorte County.

SECTION II. Pursuant to this grant, said franchisee shall provide an extension of its Michigan City service and shall not be required to provide this County any of the following: Separate office facilities, separate studio, separate master telecommunications center, or separate access channels.

SECTION III. Other than as modified by Section II above, the provisions of the following instruments are incorporated by reference herein:

- A. The Bid Proposal filed by Cox Cable of Michigan City, Inc. with the City of Michigan City on July 19, 1979.
- B. General Ordinance Number 2434 adopted by the Michigan City Common Council March 20, 1979,
- C. General Ordinance Number 2525 adopted by the Michigan City Common Council July 15, 1980.

Incorporation by reference of the above-enumerated instruments shall require that, to the extent practicable, all of the terms, conditions, duties, requirements, rights and responsibilities contained within said instruments are applicable to the City of Michigan City, Indiana (including its various departments, etc.) shall be applicable to Meadowdale Subdivision and Orchard Highlands area, LaPorte County herein. Further, incorporation by reference of the above-enumerated instruments shall require that, to the extent practicable, all of the terms, conditions, duties, requirements, rights and responsibilities contained within said instruments as applicable to the City of Michigan City, Indiana (including its various departments, etc.) shall be applicable to the Meadowdale Subdivision and Orchard Highlands area, LaPorte County, Indiana herein. Further, incorporations by reference of the above-enumerated instruments are shall require that, to the extent practicable, all of the terms, conditions, duties, requirements, rights and responsibilities contained within said instruments are applicable to Cox Cable of Michigan City, Inc., Franchisee, or any other appropriate designation shall be applicable to Cox Cable of Michigan

City, Inc., as Franchisee herein.

SECTION IV. The initial rate structure to be charged by Cox Cable of Michigan City, Inc. to its customers in the franchise area shall be the same as those set forth in its Bid Proposal filed with the City of Michigan City.

SECTION V. The franchise area shall be for the present territorial limits of Meadowdale Subdivision and Orchard Highlands area, LaPorte County, together with any areas acquired through future annexations.

SECTION VI. In consideration of the granting of this franchise, franchisee shall pay to this County a franchise fee of Three percent (3%) of annual gross revenues from all sources from its customers within the franchise areas described herein.

SECTION VII. The franchisee shall file and maintain through the term of this franchise a faithful performance bond running to the County with a good and sufficient surety to be approved by this Board in the penal sum of \$10,000.00, conditioned that the franchisee shall well and truly perform each term and condition of this franchise; said bond shall not be terminated or allowed to expire upon thirty (30) days' written notice to this Board.

SECTION VIII. The term of this franchise shall be for a period commencing upon the effective date of this ordinance and ending on . Renewal or extension of this franchise shall be granted upon approval of this Board in the manner set forth in Section III(C) of Michigan City Ordinance 2435.

SECTION IX. This ordinance and the franchise hereby granted shall take effect upon its adoption and approval in the manner provided by law.

INTRODUCED AND ADOPTED BY THE COUNTY COMMISSIONERS, LA PORTE COUNTY, INDIANA, this 25<sup>th</sup> day of April, 1983.

COUNTY COMMISSIONERS OF LA PORTE COUNTY,  
INDIANA

Kenneth W. Swanson

Robert E. Miller

Richard A. Knapp

ATTEST:

Sherry K. Waters

Cox Cable Michigan City, Inc.  
Post Office Box 506  
Michigan City, Indiana 46360  
Telephone 219/879-0361

A Subsidiary of  
Cox Broadcasting Corporation



Cox Cable  
Michigan City

MAR 24 1983

March 24, 1983

Donald E. Baugher, Atty.  
Osborn, Lanigan, and Baugher  
800 Lincolnway, Suite 500  
LaPorte, Indiana 46350

Dear Mr. Baugher:

Enclosed is the revised copy of the cable ordinance as requested. Included is Meadowdale Subdivision along with the Orchard Highlands area.

Contact me at 879-0361 should further questions arise.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Gary R. Goodridge'.

Gary R. Goodridge  
Marketing Manager

GRG/akn