

AN ORDINANCE AWARDED A NONE-EXCLUSIVE
FRANCHISE FOR A CABLE COMMUNICATIONS SYSTEM
U.S. CABLE OF NORTHERN INDIANA

WHEREAS, it has been reported to this Board that the City of Michigan City, Indiana, on the 4th day of September, 1990, entered into a contract with U.S. Cable of Northern Indiana awarding said corporation a non-exclusive franchise to operate a cable communication system in said City; and

WHEREAS, U.S. Cable of Northern Indiana has made a proposal to this Board for the extension of such a system into unincorporated areas of 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 U.S. Cable of Northern Indiana 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 U.S. Cable of Northern Indiana to provide cable television service utilizing its Michigan City facilities and system to the residents of unincorporated 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. U.S. Cable of Northern Indiana shall remain in compliance with the franchise given to said U.S. Cable of Northern Indiana by the City of Michigan City by Ordinance dated the 4th day of September, 1990, under Ordinance No. 3181.

SECTION IV. 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 unincorporated LaPorte County.

SECTION V. The franchisee shall file and maintain throughout 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 Ten Thousand Dollars (\$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 VI. The term of this franchise shall be for a period commencing upon the effective date of this Ordinance and ending in Fifteen (15) years. Renewal or extension of this franchise shall be granted pursuant to the terms of the Cable Communication Act.

SECTION VII . Permission is hereby granted to the Franchisee to utilize the facilities of public utilities for the purpose of installing cable service even though the same may cross over the streets, easements, sidewalks, public land and highways to the Community, provided the public utility companies concerned grant permission and consent.

SECTION VIII. 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 COMMISSIONER, LA PORTE COUNTY, INDIANA this 10th day of July, 1991.

COUNTY COMMISSIONERS OF LA PORTE COUNTY,
INDIANA

Michael T. Quinn
Michael T. Quinn, President

Norman E. Pahs
Norman E. Pahs

Merle Banwart
Merle Banwart

ATTEST:

Betty J. Shail
Betty J. Shail, County Auditor