

ORDINANCE NO. 116

**ORDINANCE OF LACKAWAXEN TOWNSHIP AUTHORIZING EXECUTION  
OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP AND  
BLUE RIDGE CABLE TECHNOLOGIES, INC.  
D/B/A BLUE RIDGE COMMUNICATIONS**

**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 Township of Lackawaxen (hereinafter the "Township") is authorized to grant franchises to construct, operate and maintain a cable system utilizing public rights-of-way and properties within the Township's jurisdiction; and

**WHEREAS**, Blue Ridge Cable Technologies, Inc. d/b/a Blue Ridge Communications ("Blue Ridge") currently holds a cable franchise from the Township originally granted to Blue Ridge or a predecessor entity; and

**WHEREAS**, Blue Ridge has requested that the Township renew Blue Ridge's franchise to maintain, construct, operate, and upgrade its Cable System over, under and along the aforesaid rights-of-way for use by the Township's residents; and

**WHEREAS**, the aforesaid rights-of-way used by Blue Ridge are public properties acquired and maintained by the Township and held in trust on behalf of citizens of the Township and the right to use said rights-of-way is a valuable property right; and

**WHEREAS**, the Township desires to protect and manage the aforesaid rights-of-way, require high standards of customer service, ensure future technical improvements to maintain a technologically-advanced cable system, establish certain reporting requirements, obtain certain complimentary services, receive franchise fees for Blue Ridge's use of the Township's rights-of-way as provided by federal law, establish certain reporting requirements and provide for the current and future cable-related needs of its residents; and

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

**WHEREAS**, the Township 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 Township, after affording the public notice and opportunity for comment, has determined that the public interest would be served by renewing Blue Ridge's franchise according to the terms and conditions contained in the cable franchise agreement negotiated between the Township and Blue Ridge; and

**WHEREAS**, the Township has determined that Blue Ridge has the financial, legal and technical ability to provide cable services to subscribers located in the Township;

**NOW THEREFORE, BE IT ORDAINED** that the Township Board of Supervisors does hereby approve the cable franchise agreement negotiated with Blue Ridge, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

**ENACTED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

TOWNSHIP OF LACKAWAXEN

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Chairman, Board of Supervisors