

CITY OF SMITHS GROVE,
WARREN COUNTY, KENTUCKY

ORDINANCE NO. 81-5 SERIES 1981
405.2

AN ORDINANCE RELATING TO THE GRANTING OF A FRANCHISE TO
CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELE-
VISION SYSTEM WITHIN THE CITY OF SMITHS GROVE, KENTUCKY.

WHEREAS, the City of Smiths Grove, Kentucky has created
a franchise to erect, construct, reconstruct, operate, maintain,
dismantle, test, repair and use a cable communications system in,
upon, along, across, above, over, under or in any manner connected
with streets, public ways or public places within the City of
Smiths Grove, Kentucky as now or in the future may exist, pursuant
to Section 164 of the Constitution and applicable statutes of the
Commonwealth of Kentucky and the provision of Ordinance No. 81-4, 405.1
Series 1981; and

WHEREAS, in compliance with the above cited law and the
publication requirements of KRS 424, the City of Smiths Grove, Kentucky,
has publicly advertised for and received bids for the operation
of the said cable communications system franchise pursuant to the
terms, restrictions and obligations established by the above
cited franchise legislation; and

WHEREAS, the City of Smiths Grove, Kentucky has carefully
examined and considered all applications for such a franchise and
has heard and reviewed the said applications at a public meeting;
and

WHEREAS, the City of Smiths Grove, Kentucky, has found that Storer Communications of B.G.-Warren Co. is the applicant presenting the best legal, character, financial, technical and other obligations; and

WHEREAS, the City of Smiths Grove has determined that the bid of Storer Communications of B.G.-Warren Co. is the best bid obtained.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SMITHS GROVE, KENTUCKY, AS FOLLOWS:

Section 1 - The City of Smiths Grove hereby grants and awards a non-exclusive franchise for the period extending to and including 31 August 1995, to erect, construct, reconstruct, operate and maintain a cable communications systems and community antenna cable communications system within the City of Smiths Grove, Kentucky, as now or in the future may exist, pursuant to the authority and provisions of Ordinance No. 81-4, Series 1981, to Storer Communications of Bowling Green-
405.1 Warren County

Section 2 - The grant and award of the franchise set forth in Section 1 of this Ordinance is conditioned upon full compliance by Storer Communications of B.G.-Warren Co. with all provisions of Ordinance No. 81-4, Series 1981, and with all
405.1 other applicable provisions of law, and is further based upon the terms, restrictions and obligations set forth in the Application for Franchise made to the City of Smiths Grove, Ky. by Storer Communications of Bowling Green-Warren County.

Section 3 - Storer Communications of B. G.- shall not
Warren Co. be held responsible for any delays in the construction of the

said cable communications system caused by strikes, lockouts, fires or other unavoidable delays beyond its control.

Section 4 - The statements and conclusions set forth in the preamble of this Ordinance are hereby incorporated by reference as if fully set forth. Such statements and conclusions are hereby found and declared to be true, accurate and correct.

Section 5 - If any section, sentence, clause or phrase of this Ordinance is held unconstitutional or otherwise invalid, such section shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance and franchise.

Section 6 - This Ordinance shall become effective on the date of its passage.

On this 25 day of August, 1981.

First Reading August 24, 1981

Second Reading August 25, 1981

CITY OF SMITHS GROVE, KENTUCKY

BY:

Clarence N. Wolf
Mayor

ATTEST:

Shirley M. Edwards
CLERK