

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1999 Legislative Session

Bill No. CB-17-1999

Chapter No. 6

Proposed and Presented by The Chairman (by request - County Executive)

Introduced by Council Members Bailey and Hendershot

Co-Sponsors _____

Date of Introduction March 23, 1999

BILL

1 AN ACT concerning

2 Cable Television

3 For the purpose of granting a renewal of a franchise for the operation of a cable television system
4 in the Northern and Southern Territories of Prince George's County (the "County") and
5 prescribing certain terms and conditions to be included in a franchise agreement.

6 WHEREAS, pursuant to Section 5A-102(d)(1) of the Prince George's County Code, (the
7 "County Code") the County Council has established, by adoption of Council Resolution
8 CR-2-1980, the boundaries of a Northern and a Southern Territory for the grant of franchises for
9 the operation of cable television systems within the County; and

10 WHEREAS, by Council Resolution CR-1-1999, the County Council extended the franchise
11 awarded to Jones Communications of Maryland, Inc., a Colorado corporation (the "Franchisee")
12 to provide cable services within the County until July 30, 1999, in order to continue and
13 complete the Federal and County franchise renewal process; and

14 WHEREAS, the cable franchise renewal process is governed by the Federal Cable Act, 47
15 U.S.C. §546, et seq., which sets forth both an informal and formal process for renewal; and

16 WHEREAS, after negotiations, the Franchisee and the County have agreed, pursuant to
17 applicable law, on the terms and conditions of a new franchise agreement (the "Franchise
18 Agreement"), substantially in the form attached hereto as Exhibit A; and

19 WHEREAS, pursuant to Section 5A-113(c) of the County Code, the Prince George's
20 County Cable Television Commission (the "Cable Commission") has reviewed the financial,
21 technical, legal, and character qualifications of the Franchisee and has forwarded to the County

1 Council its recommendation for approval of the renewal of a franchise for the operation of a
2 cable television system in the Northern and Southern Territories of the County, subject to the
3 terms and conditions of the Franchise Agreement; and

4 WHEREAS, Section 5A-113(c) of the County Code requires that the grant of a renewal
5 franchise for the operation of a cable television system within the public rights-of-way of the
6 County shall be made by legislative act; now, therefore,

7 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
8 Maryland, that the nonexclusive right to construct and operate a cable television system along
9 the public rights-of-way of the County within the Northern and Southern Territories as
10 established in Council Resolution CR-21-1980, be and the same is hereby granted to Jones
11 Communications of Maryland, Inc.

12 SECTION 2. BE IT FURTHER ENACTED that the franchise granted under this Act
13 shall be subject to the terms and conditions of the Franchise Agreement.

14 SECTION 3. BE IT FURTHER ENACTED that the County Executive is hereby
15 authorized and directed to enter into the Franchise Agreement with the Franchisee evidencing the
16 grant of the franchise under this Act and the Franchisee's acceptance of the same. The Franchise
17 Agreement shall bind the Franchisee to fulfill the requirements set forth in the Franchise
18 Agreement.

19 SECTION 4. BE IT FURTHER RESOLVED that the County Executive is hereby
20 authorized, empowered and directed to make any modifications, deletions, corrections or other
21 changes to complete any further negotiations on the Franchise Agreement in any manner in
22 which the County may deem necessary to complete the transaction but as will not alter the
23 substance of the Franchise Agreement.

SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) days after it becomes law.

Adopted this 13th day of April, 1999.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
M. H. Jim Estepp
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

NOTE: The Cable Franchise Agreement dated February 23, 1999, is available in hard copy only.