

“A Historic Past”



“A Bright Future”

CITY OF DELAWARE CITY
407 Clinton Street – P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE

ORDINANCE NO. 06-0123-01

AN ORDINANCE TO AMEND CHAPTER 4 OF
THE CODE OF THE CITY OF DELAWARE
CITY SO AS TO APPROVE THE GRANT OF A
FRANCHISE TO VERIZON DELAWARE, INC.
TO PROVIDE CABLE SERVICES IN THE CITY
OF DELAWARE CITY.

WHEREAS, the Mayor and Council of the City of Delaware City deem it desirable and necessary for the use, enjoyment and quality of life of the citizens and residents of the City of Delaware City to amend Chapter 4 of the Code of the City of Delaware City so as to approve the grant of a franchise to Verizon Delaware, Inc. to provide Cable Services in the City of Delaware City,

NOW, THEREFORE, the Mayor and Council of the City of Delaware City do ordain as follows:

SECTION 1. Chapter 4 of the Code of the City of Delaware City (the “Code”) is hereby amended to add a new Article III, Section 4-26 which shall read as follows, to wit:

Article III Cable Services Franchise Grant to Verizon Delaware, Inc.

Section 4.26 Grant of Franchise. Verizon Delaware, Inc., a Delaware corporation, its successors and assigns (hereinafter referred to as “Verizon”), is hereby granted the non-exclusive right, franchise and privilege to own, construct, operate and maintain a “Cable System”, (as said term is defined in Section 602 of the federal Communications Act, 47 U.S.C. §522(7)), along the streets, alleys and other public ways in the City of Delaware City for purposes of providing “Cable Service”, (as said term is defined in the federal Communications Act, 47 U.S.C. §522(6)), to the citizens and residents of the City of Delaware City. The right, privilege and franchise granted hereby is subject to and shall be controlled by the terms and conditions of that certain Cable Franchise Agreement between the City of Delaware City, Delaware and Verizon Delaware, Inc. dated February 27, 2006 (the “Agreement”), the terms of which are incorporated herein by reference and the City Manager is hereby authorized to execute and deliver the Agreement immediately upon adoption of this Ordinance.

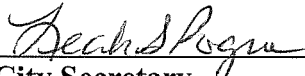
SECTION 2. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and Council hereby declare that they would have passed this Ordinance and each section, subsection, sentence, clause or phrase irrespective of the fact that any one or more thereof is declared unconstitutional or invalid.

SECTION 3. Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided that any such repeal shall not abate a right of action already accrued under any repealed Ordinance.

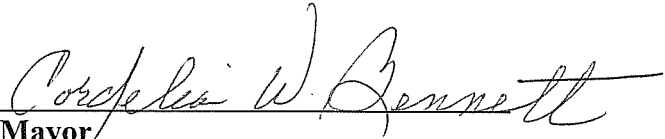
SECTION 4. This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE MAYOR AND COUNCIL, this 27 day of Feb, 2006.

ATTEST:

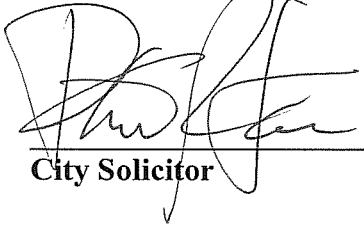


City Secretary



Mayor

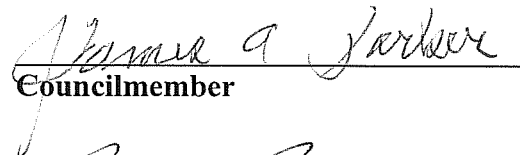
APPROVED AS TO FORM:



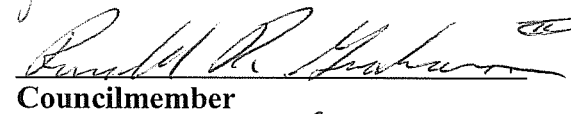
City Solicitor



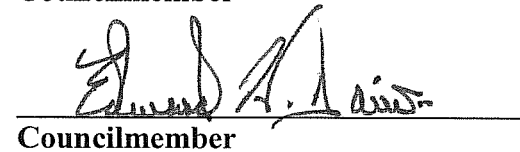
Councilmember



Councilmember



Councilmember



Councilmember

Councilmember

First Reading: 1-23-06

Second Reading and Passage:

2-27-06