

ORDINANCE NO. 6

ANTENNA TELEVISION FRANCHISE REQUIREMENT

Section 1. Title

This ordinance shall be known and may be as the Plainfield Township Antenna Television Franchise Requirement Ordinance.

Section 2. Definitions: as used in this ordinance

- a) "Community antenna television system," hereinafter referred to as "C.A.T.V." system or "system," means a system of coaxial cables or other electrical conductors and equipment used or to be used primarily to receive television or radio signals directly or indirectly off the air and to transmit them to subscribers for a fee.
- b) "Franchise" means the right, license and authority to operate, install and maintain a C.A.T.V. system in the Township. This right, license and authority shall be created and exist only virtue of an ordinance duly adopted by the Township.

Section 3.

Franchise required for installation, maintenance or operation of system. No person shall install, maintain or operate a C.A.T.V. system in the Township without first having obtained a franchise therefore from the Township in accordance with the procedure set forth in the ordinance, nor shall any person furnish C.A.T.V. service without first having obtained such a franchise.

Section 4.

Franchise required for use of public areas and ways. No person shall use, occupy or traverse any Township street, alley, lane, avenue, boulevard, sidewalk, bridge, viaduct, right of way or any other public place or public way in the Township, or any extension thereof or addition thereto, whether on, above or under the surface of the ground, for the purpose of installing, maintaining or operating a C.A.T.V. system or facility therefor, or for the purpose of furnishing C.A.T.V. service, until such person has first obtained a franchise therefor from the Township.

Section 5. Prohibited Transactions

- a) No person shall furnish, or contract to furnish labor, services, materials or supplies for operating a C.A.T.V. system until after such person, to or for whom such labor, services, materials or supplies are to be furnished, has obtained the franchises required by this ordinance.
- b) No person shall furnish or contract to furnish, labor, services, materials or supplies for connecting any television receiving set to any C.A.T.V. system, or for repairing, maintaining or improving any such connection, until after such system is authorized to be operated under franchises required by this ordinance.

- c) No person shall buy or contract to buy, any television signals or the right to receive any such signals until the person selling or contracting to sell such signals or the right to receive such signals has first obtained the franchises required by this ordinance.
- d) Sales and contracts made or entered into in violation of this section or any other part of this ordinance shall be absolutely null and void for all purposes.

Section 6. Issuance of Franchise: Conditions: Revocation

- a) Township Board may, at its discretion by Ordinance, issue non-exclusive, revocable licenses for the purpose of operating C.A.T.V. systems in the Township. Such franchise ordinances shall set forth appropriate conditions, governing the operation of such systems, the quality of service to be rendered, the rates and fees to be paid by the grantee to the Township for such privilege, the service area of the grantee of such franchise and any other matters deemed to be appropriate by the Township Board.
- b) Township Board shall, in all cases, have the complete and absolute right, for good cause shown, to revoke the franchise at any time upon thirty (30) days notice in writing to the grantee, provided that the reasons for revocation are furnished in writing to grantee and that the grantee has the right to be heard publicly prior to the revocation of such franchise.