

ORDINANCE NO. 87

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HUNTINGDON, WESTMORELAND COUNTY, PENNSYLVANIA, TO ENTER INTO A NONEXCLUSIVE AGREEMENT WITH CHARTER COMMUNICATIONS FOR THE CONSTRUCTION AND OPERATION OF A CABLE SYSTEM WITHIN THE TOWNSHIP OF SOUTH HUNTINGDON.

WHEREAS, the Township of South Huntingdon and Charter Communications have discussed and negotiated a non-exclusive Cable Television Franchise Agreement for the construction and operation of a cable system within the Township of South Huntingdon; and

WHEREAS, the Township of South Huntingdon and Charter Communications desire to take all measures necessary and proper to enter into such agreement.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Supervisors of the Township of South Huntingdon, Westmoreland County, Pennsylvania as follows:

SECTION I: The Township of South Huntingdon hereby grants a non-exclusive Cable Television Franchise to Charter Communication to construct and operate a cable system within the Township of South Huntingdon, in accord with the terms, covenants, conditions and restrictions as set forth in a proposed agreement which is marked Exhibit "A", attached hereto, and expressly made a part hereof.

SECTION II: The Chairman of the Board of Supervisors and Secretary-Treasurer of the Township are hereby authorized and directed on behalf of the Township of South Huntingdon to execute the Franchise Agreement attached hereto and marked Exhibit "A".

SECTION III: Said Franchise Agreement, attached as Exhibit "A", shall take effect upon the adoption of this Ordinance, execution of the Franchise Agreement by the authorized officials of the Township of South Huntingdon and upon the execution of the Franchise Agreement by the authorized officials of Charter Communications.

SECTION IV: If any word, phrase, section, sentence, clause or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, invalidity or illegality shall not affect or impair any of the remaining words, phrases, sections, sentences, clauses or parts of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid word, phrase, section, sentence, clause or part thereof not been included therein.

SECTION V: General Repealer. Any Ordinance or parts of Ordinances in conflict with this Ordinance are hereby specifically repealed.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of South Huntingdon this 8th day of August, 2002.

TOWNSHIP OF SOUTH HUNTINGDON

BY: Scott Painter
Chairman

ATTEST: Cindy Thorne
Secretary