

ORDINANCE NO. 5821

**AN ORDINANCE AMENDING CHAPTER 3.26 OF THE ALBANY MUNICIPAL CODE (AMC) WHICH GRANTS A NONEXCLUSIVE, CABLE SUBSCRIBER TELEVISION SYSTEM FRANCHISE TO COMCAST OF OREGON II, INC., AN OREGON CORPORATION; AND DECLARING AN EMERGENCY.**

WHEREAS, Comcast of Oregon II, Inc. (hereinafter FRANCHISEE or GRANTEE) and the City of Albany (hereinafter CITY or GRANTOR) agreed to contract terms pursuant to Ordinance No. 5815, passed on August 14, 2013; and

WHEREAS, Grantor and Grantee agreed to a term of sixty (60) days for Grantee to obtain written acceptance; and

WHEREAS, Ordinance No. 5815 in Section 3.26.310 allows for thirty (30) days for Grantee to obtain written acceptance which is in conflict with Section 3.26.560 which allows for sixty (60) days for Grantee to obtain written acceptance; and

WHEREAS, the Grantee has requested sixty (60) days to obtain written acceptance.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO HEREBY ORDAIN AS FOLLOWS:

Section 1: AMC 3.26.310 is amended as follows:

3.26.310 Duration, Renewal, and Renegotiation.

1. Duration and Renewal. This franchise and the rights and privileges granted herein shall take effect ~~thirty (30)~~ **sixty (60)** days after the date this ordinance is passed by the City and remain in effect for a term of ten (10) years, unless terminated sooner under provisions of Subsection ~~3 2~~ of this section, provided, however, that the terms of the franchise must be unconditionally accepted by the Franchisee in writing, signed by an officer of the corporation **as called for in 3.26.560** ~~within thirty (30) days after the date this ordinance is passed by the City;~~ and if the Franchisee fails to do so, this ordinance shall be void.

Section 2: Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, and an emergency is hereby declared to exist; and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

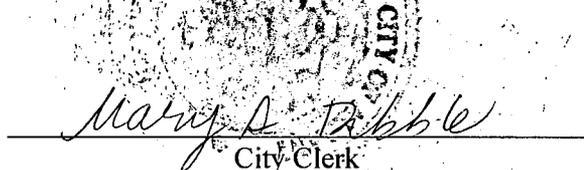
Passed by the Council: August 28, 2013

Approved by the Mayor: August 28, 2013

Effective Date: August 28, 2013

  
Mayor

ATTEST

  
Mary A. Dibble  
City Clerk