

ORDINANCE NO. 2012-1147

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-1101
TO EXTEND FOR A PERIOD OF TEN YEARS,
A NON-EXCLUSIVE FRANCHISE TO MEDIACOM SOUTHEAST LLC, ITS
SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A
CABLE SYSTEM NETWORK FOR THE PURPOSE OF TRANSMISSION OF CABLE
SERVICES WITHIN ALL INCORPORATED PORTIONS AND LOCATIONS OF THE
CITY OF ORANGE BEACH, ALABAMA AND TO USE AND OCCUPY THE STREETS,
ALLEYS AND OTHER PUBLIC PLACES OF THE CITY FOR SUCH PURPOSES**

WHEREAS, on December 1, 2009, the City Council of the City of Orange Beach adopted Ordinance No. 2009-1101, granting a non-exclusive five-year franchise to Mediacom Southeast, LLC to construct, operate and maintain a cable system network for the purpose of transmission of cable services within all incorporated portions and locations of the City of Orange Beach, Alabama and to use and occupy the streets, alleys and other public places of the City for such purposes;

WHEREAS, Mediacom Southeast, LLC's franchise is scheduled to expire on December 1, 2014;

WHEREAS, Title Six of the Communications Act of 1934, as amended, establishes formal cable franchise renewal procedures to be invoked 30 to 36 months prior to the expiration of any franchise;

WHEREAS, Mediacom Southeast, LLC wishes to continue to provide services to the City for an additional 10 year term;

NOW, THEREFORE, be it ordained by the City Council of the City of Orange Beach, Alabama, as follows:


SECTION 1.

That Ordinance No. 2009-1101, adopted December 1, 2009, is hereby amended to provide for an additional 10 year term so that the franchise will expire on December 2, 2024;

SECTION 2.

This Ordinance shall be effective on and after its adoption and publication as required by law; provided however, that Mediacom Southeast, LLC shall file an unconditional acceptance within 60 days from the date hereof; otherwise, this Ordinance shall be null and void.

ADOPTED this the 15th day of May, 2012


Cathy Constantino, MMC
City Clerk