

## **ORDINANCE NO. 55**

### **AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, EXTENDING PURSUANT TO RCW 35.02.160 THE FRANCHISE OF TCI OF SEATTLE INC. FOR THE OPERATION OF A CABLE TELEVISION SYSTEM IN THE CITY OF SHORELINE.**

WHEREAS, the City of Shoreline officially incorporated on August 31, 1995; and

WHEREAS, RCW 35.02.160 provides that any franchise or permit theretofore granted to any person, firm, or corporation by the state or county authorizing or otherwise permitting the operation of any public transportation, garbage collection and/or disposal, or other similar public service business or facility, is automatically canceled upon incorporation, but that upon incorporation the City must grant such businesses a franchise or permit to continue such business within the City for a term of not less than the remaining term of the original franchise or permit, or five years, whichever is the shorter; and

WHEREAS, Ordinance No. 45 extended the franchises of other franchise holders in the City; and

WHEREAS, TCI of Seattle, Inc. has previously been granted by King County a franchise to operate a cable television system in portions of King County which have now been incorporated within the City limits of the City of Shoreline; and

WHEREAS, the City of Shoreline intends to allow all franchise holders to continue operation under the same terms and conditions as pre-existing franchises with King County for the remaining term of the original franchise or five years, whichever is the shorter period; NOW, THEREFORE

### **THE CITY COUNCIL OF THE CITY OF SHORELINE WASHINGTON DOES ORDAIN AS FOLLOWS:**

**Section 1.**     Extending a Franchise to TCI of Seattle. TCI of Seattle, Inc. is hereby granted a franchise to operate a cable television system within the City of Shoreline under the same terms and conditions as granted by King County for franchise agreement 562 pursuant to the Franchise Extension Agreement dated September 6, 1994 and attached as Exhibit A, hereto except that this franchise will expire no later than September 1, 2000 unless earlier terminated pursuant to Exhibit A.

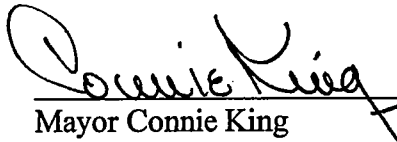
**Section 2.**     Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3. Directions to City Clerk.** The City Clerk is hereby authorized and directed to forward certified copies of this ordinance to the franchises set forth in this ordinance. Each franchisee shall have 30 days from receipt of certified copy of this ordinance to accept in writing the terms of the franchise granted to the franchisee in this ordinance.

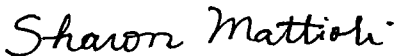
**Section 4. Official Bonds.** The franchisee shall take all necessary steps to transfer any bonds, certificates of insurance, or other security currently held by King County to the City of Shoreline. The franchise rights granted herein shall not be effective until such transfers are made.

**Section 5. Effective Date.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall be in full force and effect five days after publication.

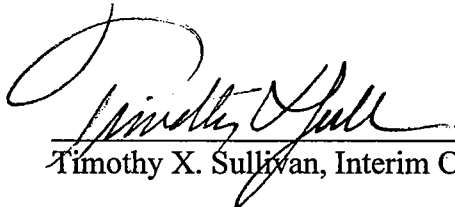
**PASSED BY THE CITY COUNCIL ON SEPTEMBER 11TH, 1995**

  
\_\_\_\_\_  
Mayor Connie King

**ATTEST:**

  
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Sharon Mattioli, CMC  
City Clerk

**APPROVED AS TO FORM:**

  
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Timothy X. Sullivan, Interim City Attorney

Date of Publication: 9/13/95  
Effective Date: 9/18/95