

**WORCESTER TOWNSHIP
BOARD OF SUPERVISORS**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2006-209

**AN ORDINANCE AUTHORIZING THE TOWNSHIP TO ENTER INTO A
CABLE FRANCHISE AGREEMENT GRANTING A NON-EXCLUSIVE
FRANCHISE TO VERIZON PENNSYLVANIA, INC. AND RATIFYING
ALL EXISTING CABLE FRANCHISE AGREEMENTS IN THE
TOWNSHIP.**

The Board of Supervisors of Worcester Township does hereby ENACT and ORDAIN:

SECTION I. Amendment to the Code.

The Code of Worcester Township, Part II, General Legislation is amended as follows:

Chapter 50, Article 1, Cable Franchise Agreements

Section 1. Cable Franchise to Verizon Pennsylvania, Inc.

The Board of Supervisors hereby authorizes execution of a cable franchise agreement with Verizon Pennsylvania, Inc., specifically a contract entitled "Cable Franchise Agreement between Township of Worcester and Verizon Pennsylvania, Inc." ("Verizon Cable Franchise Agreement") granting a non-exclusive franchise to Verizon Pennsylvania, Inc. to construct, install, maintain, extend, and operate a cable communications system in Worcester Township in accordance with the terms of said Verizon Cable Franchise Agreement.

Section 2. Ratification of Existing Cable Franchise Agreements

The Board of Supervisors hereby ratifies all existing cable franchise agreements in Worcester Township, specifically a Franchise Agreement dated October 21, 1998 with Suburban Cable TV Co. Inc. (now Comcast) and a Franchise Agreement dated August 24, 1998 with Adelpia Ultra Com of Montgomery County, Inc. d/b/a Adelpia Cable Communications (now Comcast). The appropriate Township officials are hereby authorized to execute all documents deemed reasonably necessary to carry out the Verizon Cable Franchise Agreement.

SECTION II. Repealer.

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

SECTION III. Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. Failure to Enforce Not a Waiver.

The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION V. Effective Date.

This Ordinance shall take effect and be in force from and after its approval as required by the law.

ORDAINED AND ENACTED by the Board of Supervisors of Worcester Township, Montgomery County, Pennsylvania this 19 day of April, 2006.

WORCESTER TOWNSHIP

By: 
JOHN R. HARRIS, Chairman
Board of Supervisors

Attest: 
ARTHUR C. BUSTARD, Secretary

NOTICE

NOTICE is hereby given that the Board of Supervisors of Worcester Township, at its public meeting on April 19, 2006, at 7:30 p.m. at the Worcester Township Community Hall, 1031 Valley Forge Road, Fairview Village, Worcester, Pennsylvania, will hold a public hearing on and could vote to adopt an Ordinance entitled "An Ordinance Authorizing the Township To Enter Into a Cable Franchise Agreement Granting a Non-exclusive Franchise to Verizon Pennsylvania, Inc. and Ratifying All Existing Cable Franchise Agreements in the Township", amending the Codified Ordinances of Worcester Township. The Ordinance pertains to a franchise agreement for cable services within the Township and further ratifies all existing franchise agreements within the Township.

Copies of the full text of the proposed ordinance are available for examination during normal business hours without charge at the offices of *The Times Herald*, 410 Markley Street, Norristown, Pennsylvania, 19404, the Montgomery County Law Library, Court House, Norristown, Pennsylvania and the Worcester Township Building, 1421 Valley Forge Road, Worcester, Pennsylvania, 19490 where a copy of the proposed ordinance may also be obtained for a charge not greater than the cost thereof.

**JAMES J. GARRITY, ESQUIRE
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WISLER, PEARLSTINE, TALONE,
CRAIG, GARRITY & POTASH, LLP
Solicitors for Worcester Township**