

CHAPTER 113

CABLE TELEVISION FRANCHISE

113.01 Grant of Franchise

113.02 Assignment or Transfer

113.01 GRANT OF FRANCHISE. A nonexclusive right is hereby granted to Heritage (hereinafter referred to as the “Grantee”), its successors and assigns, to establish, construct, erect, operate, maintain, repair, replace, renew, reconstruct and remove a cable television system across public property in the City limits for a term of twenty-five (25) years[†], in accordance with the laws and regulations of the United States of America and the State of Iowa and the ordinances and regulations of the City, including the nonexclusive right, privilege and authority:

1. To sell and supply audio and video communication service to persons within the City;
2. To use public property within the City;
3. To engage in such further activities within the City as may now or hereafter be consistent with the generally accepted principles applicable to the operation of a cable television system.

113.02 ASSIGNMENT OR TRANSFER. The Grantee shall not assign or transfer any right granted under the franchise to any other person, company or corporation without prior consent of the Council, which consent shall not be unreasonably withheld, provided that the Grantee shall have the right to assign the franchise to a corporation wholly owned by the Grantee or to a limited partnership of which the Grantee or other wholly owned subsidiary of Heritage Communications, Inc. is a general partner without prior consent of the City.

[†] **EDITOR’S NOTE:** Ordinance No. 108, adopting a cable television franchise for the City, was passed and approved by the Council in 1981. Ordinance No. 175, adopted November 8, 2006, renewed the existing cable television franchise to Mediacom Communications Corporation.

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