

CITY OF DISTRICT HEIGHTS MARYLAND
ORDINANCE NO. DH 2023-01

GRANTING A RENEWAL OF THE CABLE FRANCHISE TO COMCAST OF MARYLAND, LLC AND AUTHORIZING A FRANCHISE AGREEMENT

WHEREAS, pursuant to §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, the City of District Heights (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality;

WHEREAS, the Mayor and Commission have the power under §5-204(d) of the Local Government Article, Annotated Code of Maryland to grant non-exclusive cable franchises; and

WHEREAS, the Mayor and Commission have adopted a cable ordinance to govern cable franchises that are located within the City; and

WHEREAS, the City entered into a cable franchise agreement with Comcast of Maryland, LLC which ended in 2015, but has been extended during the negotiation of the renewal of the franchise agreement; and

WHEREAS, the Mayor and Commission authorized the negotiation of the renewal of the franchise agreement with Comcast of Maryland, LLC and said proposed agreement has been prepared and presented to the Mayor and Commission; and

WHEREAS, the Mayor and Commission have determined that it is in the public interest to renew the cable franchise with Comcast of Maryland, LLC, within the corporate limits of the City, on condition that Comcast of Maryland, LLC. enter into a franchise agreement in substantially the form as attached to this Ordinance.

Section 1. **NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Commission of The City of District Heights the renewal of the non-exclusive right to construct and operate a cable television system along the public rights of way in The City of District Heights is hereby

granted to Comcast of Maryland, LLC, subject to the provisions of Article XII of the Code of Ordinance for the City of District Heights and a franchise agreement between the City and Comcast Cable, LLC in a form substantially similar to that attached to this Ordinance. The City of District Heights is authorized to endorse the franchise agreement on behalf of the City.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Commission of The City of District Heights at a regular meeting on the ____ day of _____ 2023.

ADOPTED by the Mayor and Commission of The City of District Heights at a regular meeting on the ____ day of _____ 2023.

EFFECTIVE the ____ day of _____ 2023.

ATTEST:

**CITY COMMISSION
OF DISTRICT HEIGHTS, MARYLAND**

By: _____
Starr Jefferson, City Clerk

By: _____
Cynthia Miller, Mayor

Xander Harcourt, Vice Mayor/Commissioner

Pamela Janifer, Commissioner

Gyasi Gomez, Commissioner

Anthony Tilghman, Commissioner

I, Starr Jefferson, City Clerk of the City of District Heights, hereby certify the following motion made at the meeting of the City Commission of District Heights on January 24,2023.

Motion: I, Comr. _____, move that the City of Commission adopt Ordinance No. DH: 2023-01, to renew the cable franchise agreement with Comcast of Maryland, LLC.

Motion Seconded: I, Comr. _____, second the motion.

VOTE:	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	
Mayor Miller	_____	_____	_____	
Comr. Harcourt	_____	_____	_____	
Comr. Janifer	_____	_____	_____	
Comr. Gomez	_____	_____	_____	
Comr. Tilghman	_____	_____	_____	

City Clerk to the
City Commission of District
Heights, Maryland

Effective Date: _____, _____ at : pm.

Starr Jefferson

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Bradley Farrar, City Attorney

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ADOPTED by the Mayor and Commission of The City of District Heights at a regular meeting on the ____ day of _____ 2023.

EFFECTIVE the ____ day of _____ 2023.

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Comr. Tilghman	_____	_____	_____	

City Clerk to the
City Commission of District
Heights, Maryland

Effective Date: _____, _____ at : pm.

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**APPROVED AS TO FORM AND
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City Clerk to the
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Heights, Maryland

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City Clerk to the
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