HARFORD COUNTY BILL NO. 19-007

Brief Title: (Television Increase Length of Term of Cable Franchise)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Council Administrator
Date April 16, 2019

Council President
Date April 16, 2019

BY THE COUNCIL

Read the third time.

Passed: LSD 19-012

Failed of Passage: 

By Order

Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 17th day of April, 2019 at 3:00 p.m.

Council Administrator

BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date 4/19/19

BY THE COUNCIL

This Bill No. 19-007 having been approved by the Executive and returned to the Council, becomes law on April 18, 2019.

EFFECTIVE: June 17, 2019
COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 19-007

Introduced by Council Member Shrodes

Legislative Day No. 19-008 Date March 12, 2019

AN ACT to repeal and reenact, with amendments, Subsection B, of Section 235-3, Grant of Nonexclusive Franchise of Chapter 235, Television, of the Harford County Code, as amended; to provide an increase in the amount of time a cable television franchise may be in effect from 10 years to not more than 15 years; and to increase the length of time for renewal of a franchise agreement from 10 years to not more than 15 years; and generally relating to Television in Harford County, Maryland.

By the Council: March 12, 2019

Introduced, read first time, ordered posted and public hearing scheduled

on: April 9, 2019

at: 7:00 PM

By Order: Mylisa Dixon, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 9, 2019, and concluded on April 9, 2019.

Mylisa Dixon, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.
Section 1. Be It Enacted by the County Council of Harford County, Maryland that Subsection B, of Section 235-3, Grant of Nonexclusive Franchise, be and it is hereby repealed and reenacted, with amendments, of Chapter 235, Television, of the Harford County Code, as amended, to read as follows:

CHAPTER 235. TELEVISION

§ 235-3. GRANT OF NONEXCLUSIVE FRANCHISE.

A. The granting authority shall grant the company a nonexclusive franchise to construct, erect, operate and maintain a cable system in, upon, along, across, over and under the County-owned streets and all extensions thereof and additions thereto and other places defined and limited by this chapter.

B. The franchise shall become effective on the date on which the granting authority notifies the company that the franchise has been awarded pursuant to this chapter and in conformance with this Code. The franchise shall remain in effect for [10] A PERIOD NOT TO EXCEED 15 years, unless sooner terminated as hereinafter provided. The franchise shall be subject to renewal for a period [of 10] NOT TO EXCEED 15 years duration on the same terms or conditions as contained in this chapter or on such different or additional terms and conditions as may be lawfully specified by the granting authority and as are consistent with the requirements of the Federal Communications Commission. No renewal of such franchise shall be granted unless authorized by the Council following an appropriate public proceeding involving public notice and an opportunity for interested parties to participate, during which proceeding the corporation's past performance, the adequacy of the provisions of the expiring franchise and the consistency of such provisions with applicable standards of the Federal Communications Commission have been considered.
C. Nothing in this chapter or a grant of a franchise shall be construed as a waiver of the County's right to require any person, other than the company utilizing the system, to secure the granting authority's consent prior to such utilization.

Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date it becomes law.

EFFECTIVE: June 17, 2019

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.

[Signature]
Council Administrator