

**CITY OF EDGEWATER**  
**ORDINANCE NO. 2015 - 18**  
**SERIES OF 2015**

**AN ORDINANCE APPROVING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF EDGEWATER, COLORADO, AND COMCAST OF COLORADO IV, LLC (“COMCAST”), THAT IS ATTACHED HERETO AND THAT GRANTS TO COMCAST THE NONEXCLUSIVE AUTHORIZATION TO USE CITY RIGHTS-OF-WAY AND SIMILAR LOCATIONS TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM TO PROVIDE CABLE TELEVISION SERVICE WITHIN THE CITY, AND THAT FIXES THE TERMS, CONDITION AND COMPENSATION THEREFOR.**

WHEREAS, the existing franchise agreement between the City of Edgewater and Comcast was entered into on November 6, 1997; and

WHEREAS, Comcast and the City’s staff have negotiated a proposed franchise agreement in the form attached hereto; and

WHEREAS, Article XVII of the City of Edgewater Home Rule Charter requires that any franchise be granted or renewed by ordinance; and

WHEREAS, NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. Approval of Franchise. The Comcast of Colorado IV, LLC and The City of Edgewater Cable Franchise Agreement attached hereto is hereby approved for a term beginning November 5, 2015, and ending November 1, 2025.

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 28. Effective Date. This ordinance shall become effective five (5) days after publication in accordance with law after final reading.

INTRODUCED, READ BY TITLE, PASSED ON FIRST READING AND ORDERED PUBLISHED this 5th day of November, 2015.

*/s/ Bonnie McNulty, Mayor*

ATTEST:

*/s/ Elizabeth A. Hedberg, MMC*  
City Clerk

READ BY TITLE, PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 19th day of November, 2015.

*/s/ Kris Teegardin, Mayor*

ATTEST:

*/s/ Elizabeth A. Hedberg, MMC*  
City Clerk

APPROVED AS TO FORM:

*/s/ Thad Renaud, City Attorney*

### **CERTIFICATE OF PUBLICATION**

STATE OF COLORADO    )  
  )  
CITY OF EDGEWATER    )    SS:  
  )  
COUNTY OF JEFFERSON)

I, Beth A. Hedberg, City Clerk, in and for said City of Edgewater, in the County of Jefferson, in the State of Colorado, do hereby certify that Ordinance 2015-18 was published in full on the City website in accordance with Section 1-3-50 of the Edgewater Municipal Code on November 6, 2015. In witness whereof, I have hereunto set my hand and the seal of the City of Edgewater, this 6th day of November, 2015.

*/s/ Beth A. Hedberg, MMC*  
Edgewater City Clerk

**CERTIFICATE OF PUBLICATION**

STATE OF COLORADO )  
 )  
CITY OF EDGEWATER ) SS:  
 )  
COUNTY OF JEFFERSON)

I, Beth A. Hedberg, City Clerk, in and for said City of Edgewater, in the County of Jefferson, in the State of Colorado, do hereby certify that Ordinance 2015-18 was published in full on the City website in accordance with Section 1-3-50 of the Edgewater Municipal Code on November 23, 2015. In witness whereof, I have hereunto set my hand and the seal of the City of Edgewater, this 23rd day of November, 2015.

*/s/ Beth A. Hedberg, MMC*  
Edgewater City Clerk

**SUMMARIZED HISTORY FOR ORDINANCE NO. 2015-18**

Action	Date
First Reading	November 5, 2015
Posted	November 6, 2015
Publication	November 6, 2015
Second Reading	November 19, 2015
Sent to Codifier	N/A
Posted	November 23, 2015
Publication	November 23, 2015
Enacted	November 28, 2015