

AN ORDINANCE GRANTING TO SAH SYSTEMS A FRANCHISE FOR OPERATION OF A CABLE COMMUNICATIONS SYSTEM ON CERTAIN PROPERTY WITHIN THE CITY OF COOS BAY, AS AMENDED BY ORDINANCE NO. 340

The City of Coos Bay ordains as follows:

Section 1. Franchise Granted. A franchise is hereby granted to SAH Systems, hereinafter called Franchisee, to operate a cable communications system in the City of Coos Bay on property owned and contained within the boundaries of Shore Pines Mobile Lodge.

Section 2. Term.

- (1) The term of this franchise will run from year to year, with the anniversary date being the date of the enactment of this Ordinance. Either the City or SAH Systems may terminate this franchise upon providing 30 days prior written notice of such intended termination.
- (2) As Franchisee has paid the fee due for the year 2003 under the provisions of Ordinance No. 78, the first payment due by Franchisee shall be for the year 2004, payable on or before January 1, 2004. The yearly fee shall be paid by the Franchisee by the 1st of January of each year thereafter.

Section 3. Franchise Fee. The franchise fee owed to the City by Franchisee shall be \$200 a year, with such fee increasing by 3% each year that the Franchise remains in effect.

Section 4. No Warranty. Nothing in this ordinance, and nothing in the action of the City in dealing with the Franchisee, shall constitute a warranty as to any level of cable communications service provided to any customers of the Franchisee, nor shall the City hear complaints against the Franchisee or become involved in regulating rates charged by the Franchisee for any services to its customers.

Section 5. Acceptance. Within thirty (30) days after the City Council enacts this Franchise Ordinance or the Mayor signs the Franchise Ordinance, whichever is earlier, the Franchisee shall file with the City Recorder a written acceptance of the terms, conditions and obligations to be complied with or performed by it hereunder.

Section 6. Severability. Any finding by any court of competent jurisdiction that any section, subsection or other provision of this ordinance is unconstitutional or otherwise invalid shall not invalidate any other section, subsection or other provision of this ordinance.

Passed by the City Council and approved by the Mayor November 18, 2003.