

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 03-24

**AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, FINDING THE PROPOSED NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE FRANCHISE; PROVIDING FOR REGULATION OF CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF THE SYSTEM; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE FRANCHISE; AND AUTHORIZING THE MAYOR TO ENTER INTO THE FRANCHISE AGREEMENT.**

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Whereas, Comcast Cable Communications Management, LLC., a Washington Corporation doing business in the State of Washington, has applied for a non-exclusive cable television franchise to construct, operate, and maintain a cable television system upon, in, under, across, along, and over certain City roads, highways, and other City property in the City of Buckley, Washington as hereinafter set forth; and

Whereas, two readings of the franchise were conducted as required by 35A.47.040 and this ordinance was passed by a majority of the whole membership of the City Council as required by RCW 35A.12.120, and

BE IT ORDAINED by the City Council of the City of Buckley:

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON DO ORDAIN AS FOLLOWS:

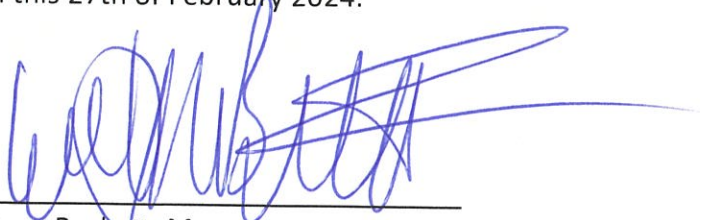
Section 1. The City of Buckley City Council hereby finds that the Cable Television Franchise, a copy of which is attached hereto and incorporated herein by reference as Exhibit A, is in the public interest.

Section 2. The City Council hereby authorizes the Mayor to enter into the attached Franchise Agreement, authorizing Comcast to construct, operate, and maintain a Cable system in, across, under, upon, along, and over City roads, rights-of-way, highways, and City property in City of Buckley, Washington as described in the Franchise Agreement.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Buckley City Council this 27th of February 2024.

  
Beau Burkett, Mayor

**ATTEST:**

  
Treva Percival, City Clerk

**APPROVED AS TO FORM:**

  
Phil Olbrechts, City Attorney

Published: March 6, 2024

Effective: March 11, 2024