

RESOLUTION 2016-12
AN RESOLUTION OF THE MAYOR AND COMMISSIONERS OF THE TOWN
OF PERRYVILLE EXTENDING THE FRANCHISE AGREEMENT WITH
ATLANTIC BROADBAND (DELMAR), LLC

WHEREAS on October 3, 2006, the Town of Perryville (“Town”) granted a cable television franchise (the “Franchise”) to Atlantic Broadband (Delmar), LLC (“Franchisee”); and

WHEREAS, the Franchise is scheduled to expire on November 17, 2016; and

WHEREAS, the Town and the Franchisee are engaged in discussions concerning the renewal of the Franchise, and those discussions are expected to take some time to complete; and

WHEREAS, the Town wishes to extend the term of the Franchise to allow time for the parties to complete negotiations; and

WHEREAS, the Franchisee has provided its consent to the proposed extension of the Franchise, in the form of the attached letter, which is incorporated herein by reference as Exhibit A; and

WHEREAS, the Town and the Franchisee both desire to reserve their respective rights under state and federal law, including, without limitation, 47 U.S.C. § 546.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED, by the Mayor and Commissioners of the Town of Perryville that the said Franchise Agreement between Perryville and the Franchisee be and it is hereby extended until a new cable franchise becomes effective, or until the franchise is either renewed, terminated or final action is taken not to renew the franchise in accordance with the agreement, the Federal Cable Act and other applicable law, whichever occurs first, as is more particularly stated in the attached Exhibit A, which is incorporated herein by reference. During said extension, the terms and conditions of the Agreement shall remain in full force and effect. This extension shall be effective as to Franchisee immediately upon receipt by the Franchisee.

BE IT FURTHER ORDAINED AND RESOLVED that this Resolution shall become effective immediately upon approval by the Mayor and Commissioners.

Mayor and Commissioners of the Town of Perryville


Denise Breder
Town Administrator

by: 
James L. Eberhardt, Mayor

Introduced and read during a public Town Meeting of the Mayor and Commissioners of the Town of Perryville on the 16th day of August, 2016.

Ordained, approved and passed by the Mayor and Commissioners of the Town of Perryville during a public Town Meeting on the 6th day of September, 2016.


Denise Breder
Town Administrator

by: 
James L. Eberhardt, Mayor