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MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance No. 2023-17

Introduced By: Mayor Roath

Date Introduced: October 3, 2023

Amendments Adopted:

Date Adopted: November, 7 2023

Date Effective: November 27, 2023

AN ORDINANCE concerning

BREEZELINE CABLE FRANCHISE AGREEMENT

FOR the purpose of approving a certain cable television franchise agreement with Cogeco US (Delmar) LLC d/b/a Breezeline; providing that the provisions of this Ordinance are severable; and generally relating to cable television services in the Town of Perryville.

EXPLANATORY STATEMENT: Pursuant to §5-201, *et seq.*, of the Local Government Article, Annotated Code of Maryland, the Town of Perryville has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the citizens of the municipality. The Mayor and Commissioners have the power under §5-204(d) and §1-708 of the Local Government Article, Annotated Code of Maryland, to grant non-exclusive cable franchises. The Mayor and Commissioners have determined that it is in the public interest to grant a cable franchise to Cogeco US (Delmar) LLC d/b/a Breezeline, within the corporate limits of the Town, on condition that Cogeco US (Delmar) LLC d/b/a Breezeline, enter into a franchise agreement in substantially the form as attached to this Ordinance. Now, therefore,

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that the grant of a non-exclusive right to construct and operate a cable television system along the public rights of way in the Town of Perryville is hereby granted to Cogeco US (Delmar) LLC d/b/a Breezeline, subject to the terms and conditions of a franchise agreement between the Town and Cogeco US (Delmar) LLC d/b/a Breezeline, in

40 a form substantially similar to that attached to this Ordinance. The Town Administrator is
41 authorized to endorse the franchise agreement on behalf of the Town.

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43 **SECTION 2. AND BE IT FURTHER ENACTED** that if any section, subsection,
44 provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal
45 or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable,
46 and shall not affect or impair any remaining section, subsection, provision, sentence, clause,
47 phrase or word included within this Ordinance, it being the intent of the Mayor and
48 Commissioners that the remainder of the Ordinance shall be and shall remain in full force and
49 effect, valid and enforceable.

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51 **SECTION 3. AND BE IT FURTHER ENACTED** that this Ordinance shall take
52 effect twenty (20) days following approval by the Mayor and Commissioners.

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54 **ADOPTED** this 7th day of November, 2023, by a vote of 5 years, 0 nays, and 0
55 abstentions.

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58 **SEAL:**

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ATTEST:
Jackie Sample
Jackie Sample, Town Clerk

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

By: Matt Roath
Matt Roath, Mayor

Date: 11/7/2023