

ORDINANCE NO. 204
TOWNSHIP OF HOWELL
ORDINANCE TO APPROVE, WITH RESERVATIONS, A UNIFORM VIDEO
SERVICE FRANCHISE AGREEMENT SUBMITTED BY COMCAST

THE TOWNSHIP OF HOWELL ORDAINS:

Section 1. Purpose. On January 1, 2007, the Uniform Video Services Franchise Act, 2006 P. A. 480, (“Act 480”) became effective. Act 480 requires that local units of government approve a uniform video service local franchise agreement once it is considered complete by the municipality. The purpose of this Ordinance is to approve the application submitted by Comcast of Michigan IV, LLC, doing business as Comcast.

Section 2. Uniform Video Services Local Franchise Approved. The Township approves the Uniform Video Service Local Franchise Agreement submitted by Comcast of Michigan IV, LLC doing business as Comcast, attached as Appendix 1 to this Ordinance.

Section 3. Reservation of Rights. The Township’s approval of this Ordinance is not a waiver of or an acknowledgement that Act 480 meets the requirements of the Michigan Constitution, United States Constitution, or other Federal or Michigan law. If it is later determined by a court of competent jurisdiction, the Michigan Public Service commission, the Federal Communications Commission, or any other agency or tribunal with jurisdiction that Act 480 or any of its provisions are unconstitutional, unlawful or unenforceable, the Township reserves the right to take any action necessary, including but limited to repealing this Resolution and Ordinance and reinstating any franchise in effect on January 1, 2007, to comply with any order, judgment or ruling involving Act 480 or any of its provisions.

Section 4. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as effecting the validity of the remaining portions of this Ordinance.

Section 5. Repealer Clause. Any ordinances, resolutions or parts of ordinances or resolutions, including any ordinance or resolution granting a franchise to Comcast of Michigan IV, LLC doing business of Comcast, in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force subject to the Reservation of rights contained I Section 3.

Section 6. Effective Date. This Ordinance shall be effective upon publication.