

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: 22-10

IN THE MATTER OF AMENDING CHAPTER 8 OF LANE
CODE TO EXTEND THE TERM AND FRANCHISE
AGREEMENT WITH COMCAST OF OREGON II, FOR
OPERATION OF A CABLE COMMUNICATIONS SYSTEM
TO DECEMBER 30, 2024; DELETING AND REPLACING IN
ITS ENTIRETY ORDINANCE 21-09 (LC 8.100.005)

WHEREAS, the federal Cable Act requires a franchise for operation of cable telecommunications systems and provides for a formal or informal renewal process under the Cable Act; and

WHEREAS, Lane County and the cities of Eugene and Springfield, the local franchising authorities, have entered into a franchise with Comcast of Oregon II, Inc., (hereinafter "Comcast") for the operation of a cable communication system and have designated the Metropolitan Policy Commission (MPC) as the representative of the local franchising authorities in administration of the franchise; and

WHEREAS, Lane County enacted Ordinance 12-07 on October 31, 2007, granting such franchise; and

WHEREAS, Lane County enacted Ordinance 18-09 on November 6, 2018, extending said franchise for an additional period through June 30, 2020; and

WHEREAS, Lane County enacted Ordinance 20-4 on July 6, 2020, extending said franchise for an additional period through December 30, 2021; and

WHEREAS, Lane County enacted Ordinance 21-09 on December 7, 2021, extending said franchise for an additional period through December 30, 2022; and

WHEREAS, the cities of Eugene and Springfield, Lane County and Comcast are currently negotiating under the Cable Act's informal process to renew Comcast's cable franchise and the parties anticipate those negotiations will not be completed prior to December 30, 2022; and

WHEREAS, the cities of Eugene and Springfield, and Lane County have determined that it serves the public welfare to extend the term of the current franchise from December 30, 2022 to December 30, 2024,

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDAINS** as follows:

Section 16(1) of Ordinance 21-09 is hereby deleted in its entirety, and replaced with the following:

Duration and Renewal. This franchise and the rights and privileges granted herein shall remain in effect until December 30, 2024, unless terminated sooner under provisions of Subsection (4) of this section. Renewal of the Grantee's franchise at the end of such term shall be governed by and comply with the provisions of applicable law then in effect.

IT IS FURTHER ORDAINED THAT:

Chapter 8 of Lane Code is hereby amended by deleting and substituting and adding new section(s) as follows:

DELETE THIS SECTION

8.100.005

INSERT THIS SECTION

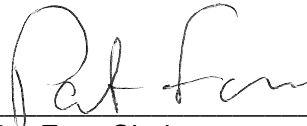
8.100.005

This section is attached hereto and incorporated herein by this reference. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion constitutes a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions hereof.


Nothing herein is intended to, nor acts to amend, replace, or otherwise conflict with any other ordinances of Lane County or any other Code or statutory provisions unless expressly so stated.

The office of Lane County Legal Counsel is authorized to codify this Ordinance and to make any technical changes, not affecting its substance, as are reasonably necessary to accomplish codification.

ENACTED this 29th day of November, 2022



Pat Farr, Chair
Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

Chapter 8 – COMMUNICATIONS

8.100 – CABLE FRANCHISE

8.100.005 - Metropolitan Area Cable Television Franchise.

(Due to its length, copies of the 10-year Franchise Renewal Ordinance are on file with the Metropolitan Policy Committee, Lane County Board of County Commissioners, Lane County Administrator and Lane County Counsel). [Scrivener note: The Ordinance is also available on the Internet at: *[to be updated after passage]*

(Ordinance 23-78, 11.3.78; Ordinance 5-81, 4.8.81; Ordinance 4-82, 3.10.82; Ordinance 6-85, 9.17.85; Ordinance 15-90, 12.7.90; Ordinance 6-91, 6.6.91; Ordinance 20-04, 8.6.20; Ordinance 21-09, 1.6.22; Ordinance 22-10, *[effective date TBD]*)

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~~https://p1cdn4static.civillive.com/UserFiles/Servers/Server_3585797/File/Government/BCC/2021/2021-ORDINANCES/21-09.pdf~~

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Ordinance 22-10, [effective date TBD])