

ORDINANCE NO. 438

AN ORDINANCE CONSENTING TO THE TRANSFER OF THE CABLE TELEVISION FRANCHISE AGREEMENT GRANTED TO WINNSBORO-RIDGEWAY CABLEVISION, INC. UNDER FRANCHISE AGREEMENT DATED APRIL 9, 2001

WHEREAS, by Ordinance No. 389 adopted by Fairfield County Council on February 12, 2001 Fairfield County agreed to grant to Winnsboro-Ridgeway Cablevision, Inc. a non-exclusive franchise for the operation of a cable television system within certain defined territory of Fairfield County, South Carolina, and;

WHEREAS, pursuant to said Ordinance No. 389 a franchise agreement was entered into between the County of Fairfield and Winnsboro-Ridgeway Cablevision, Inc., dated April 9, 2001, and;

WHEREAS, the grantee, Winnsboro-Ridgeway Cablevision, Inc., has requested that the grantor, Fairfield County, consent to a transfer of said franchise agreement pursuant to Section 20 of said franchise agreement, and;

WHEREAS, the grantor, County of Fairfield, finds that it is in the best interest of its citizens to approve the transfer.

NOW, THEREFORE, BE IT ORDAINED by Fairfield County Council duly assembled that Fairfield County does hereby consent to the sale and/or transfer of that certain Franchise Agreement between Fairfield County and Winnsboro-Ridgeway Cablevision, Inc. to Chester Telephone Company; said consent being effective upon receipt of a properly executed Franchise Assignment Agreement between Winnsboro-Ridgeway Cablevision, Inc. and Chester Telephone Company in which Chester Telephone Company agrees to accept and be subject to all terms, conditions and limitations as contained in the franchise agreement between Winnsboro-Ridgeway Cablevision, Inc. and the County of Fairfield, dated April 9, 2001.

BE IT FURTHER ORDAINED, that the County of Fairfield by consenting to said assignment and transfer does not extend nor amend the terms of said Franchise Agreement, does not release Winnsboro-Ridgeway Cablevision, Inc. from any obligations or liabilities under said agreement existing as of this date of the assignment, nor waive any of its past, present, or future rights under said Franchise Agreement, under the Cable Communications Act of 1984, Cable Consumer Protection and Competition Act of 1992 or any applicable federal, state or local law or regulations.

ADOPTED this 22nd day of July, 2002.

David L. Ferguson Sr.
Chairman, Fairfield County Council

ATTEST:

Shryll M. Brown
Shryll M. Brown, Clerk to Council

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First Reading: July 8, 2002
Second Reading: July 15, 2002
Third Reading: July 22, 2002
Public Hearing: July 22, 2002