

ORDINANCE NO. 2023-134

**AN ORDINANCE EXTENDING TERM OF FRANCHISE
OF KNOLOGY OF HUNTSVILLE, INC. D/B/A WOW!**

WHEREAS, Knology of Huntsville, Inc. doing business as WOW! Internet-Cable-Phone (herein "WOW!") has operated and maintained a franchise for construction, installation, operation, and maintenance of a cable and broadband system within the City's territorial jurisdiction since 2006; and

WHEREAS, the City Council of the City of Madison has determined that the continuation of WOW!'s franchise for an additional ten-year term will promote the health, safety, and welfare of the public and otherwise serve the public interest; and

WHEREAS, by this Ordinance, the Council desires to extend its grant of a non-exclusive franchise to WOW! and to authorize the execution of an amended Franchise Agreement between the City of Madison and WOW!;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Madison as follows:

Section 1. The City, in consideration of the acceptance of the mutual covenants and agreements and of all the terms and conditions of this Ordinance hereby grants to WOW!, its successors and assigns, the right, privilege, authority, and non-exclusive franchise to construct, own, maintain, enlarge, extend, improve, and operate a cable and broadband system, as defined in the Franchise Agreement, within the City, and to use the streets, avenues, alleys, public ways, and places in the City for such purposes in accordance with the terms, conditions, and provisions of this Ordinance.

Section 2. That the Mayor is hereby authorized and directed to execute the "Franchise Agreement" attached hereto as **Exhibit A** and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

Section 3. If any word, clause, phrase, sentence, paragraph, or provision of this Ordinance or the Franchise Agreement shall be invalidated by a court of competent jurisdiction, such invalidity shall not affect any other word, clause, phrase, sentence, paragraph, or provision hereof.

Section 4. That the Franchise Agreement shall be in full force and effect after the date of its final passage, adoption, and proper execution. A synopsis of this Ordinance or synopsis thereof shall be published one time in the Madison County Record, a newspaper of general circulation in the City of Madison, Alabama.

READ, PASSED, and ADOPTED this 10th day of July 2023

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this _____ day of July 2023

Paul Finley, Mayor
City of Madison, Alabama