

ORDINANCE NO. 132, SERIES 2016

**AN ORDINANCE AWARDDING A COMMUNICATIONS SERVICES FRANCHISE TO GOFF NETWORK TECHNOLOGIES, INC.-KENTUCKY DBA USA FIBER PURSUANT TO THE TERMS AND CONDITIONS IN CHAPTER 116.70 - 116.99 OF THE LOUISVILLE METRO CODE OF ORDINANCES.**

**Sponsored by: COUNCIL MEMBERS YATES AND KRAMER**

**WHEREAS**, pursuant to Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances the Louisville/Jefferson County Metro Government ("Louisville Metro") solicited bid proposals from parties interested in obtaining communications services franchises to erect, install or maintain communications facilities or provide communication services by use of said communication facilities within the confines of Louisville/Jefferson County, Kentucky; and

**WHEREAS**, an Interlocal Cooperation Agreement for a Jefferson County Uniform Communications Services Franchise ("Interlocal") has been executed by and among Metro Louisville and all the municipalities within Jefferson County having franchise authority; and

**WHEREAS**, the Interlocal authorized Metro Louisville on behalf of the municipalities to advertise for bids and to process bid applications and to administer the permitting process for the installation of the communications infrastructure; and

**WHEREAS**, Goff Network Technologies, Inc.-Kentucky DBA USA FIBER submitted a bid proposal to Louisville Metro for a communications services franchise which meets all of the requirements of Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances and all other applicable state and federal laws.

1

**BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**Section 1.** Louisville Metro hereby grants to Goff Network Technologies, Inc.-Kentucky DBA USA FIBER for a period of twenty (20) years, a non-exclusive franchise to erect, install or maintain communications facilities or provide communication services by use of said communication facilities within the confines of Louisville/Jefferson County, Kentucky pursuant to Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances.

**Section 2.** The franchise agreement by and between Goff Network Technologies, Inc.-Kentucky DBA USA FIBER and Louisville Metro as appended to this ordinance is hereby approved and the Mayor is hereby authorized to execute and enter into that agreement for and on behalf of Louisville Metro.


**Section 3.** That the statements set forth in the Preamble to this Ordinance are hereby incorporated in this Ordinance by reference, the same as if set forth at length herein.

**Section 4.** That if any section, sentence, clause or phrase of this Ordinance is held to be unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remainder of the Ordinance.

**Section 5.** This ordinance shall take effect upon its passage and approval.

  
H. Stephen Ott  
Metro Council Clerk

  
David Yates  
President of the Council

  
Greg Fischer  
Mayor

Date Approved: August 5, 2016

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

**LOUISVILLE METRO COUNCIL  
READ AND PASSED**  
*July 28, 2016*

By: 