



Louisville Metro Government

Legislation Details (With Text)

File #: O-187-14 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 2/24/2014 **In control:** Public Works, Bridges and Transportation

On agenda: 3/13/2014 **Final action:** 3/13/2014

Title: AN ORDINANCE RELATING TO THE COMMUNICATIONS SERVICES FRANCHISE ORDINANCE THAT AMENDS THE FRANCHISE TERM PERIOD AND BONDING REQUIREMENTS.
(Action Required by August 2014)

Sponsors: Kevin Kramer (R-11)

Indexes:

Code sections:

Attachments: 1. Telecommunications Franchise Service Ordinance Amendments Concerning Term and Bonding (2),
2. ORD 036 2014

Date	Ver.	Action By	Action	Result
3/13/2014	1	Metro Council	passed	Pass
3/6/2014	1	Public Works, Bridges and Transportation	recommended for approval	Pass
3/6/2014	1	Public Works, Bridges and Transportation		
3/4/2014	1	Public Works, Bridges and Transportation		

ORDINANCE NO. _____, SERIES 2014
AN ORDINANCE RELATING TO THE COMMUNICATIONS SERVICES FRANCHISE ORDINANCE THAT AMENDS THE FRANCHISE TERM PERIOD AND BONDING REQUIREMENTS.

Sponsored By: Council Member Kevin Kramer

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

SECTION I: LMCO Chapter 116.71(J) is hereby amended to read as follows:

§ 116.71 COMMUNICATIONS SERVICES.

(J) *Term.* A franchise shall be effective for a term of 15 years from its effective date. be for a term not to exceed twenty years.

SECTION II: LMCO Chapter 116(F)(1) is hereby amended to read as follows:

§ 116.72 RIGHTS-OF-WAY MANAGEMENT AND FACILITIES REQUIREMENTS.

(F) *Insurance and bonds.* During the term of any franchise, a franchisee shall obtain and maintain at its sole expense, all insurance and bonds required by this subchapter. Nothing contained in this subchapter shall limit a franchisee's liability to Louisville Metro to the limits of insurance certified or carried.

(1) All persons submitting an application for a franchise in accordance herewith shall file with their applications a Bid bond with a surety company that is Treasury listed with a rating of A- or better solely for the

protection of Louisville Metro equal to 10% of the bid price. Upon being awarded a franchise, Franchisee shall immediately file a performance and payment bond equal to 100% of the contract price and a Franchise bond in the amount of \$1,000,000, and a performance bond in an amount to be determined by the Director of the Department of Public Works and Assets. In no event shall the amount required by the Department of Public Works and Assets exceed the reasonable costs of repairing the rights of way in the event of non-performance by the franchisee. Said performance bond shall provide for the faithful performance of construction and installation, of franchisee's system. Two years after demonstration of the completion of the construction of the system by franchisee to Public Works and Assets Department, Public Works and Assets Department shall release the performance bond.

SECTION III: This Ordinance shall take effect upon its passage and approval.

_____ H. _____ Jim King
Stephen Ott Metro Council Clerk President of the Council

_____ Greg _____ Approval
Fischer Mayor Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____