



Louisville Metro Government

Legislation Text

File #: O-160-16, Version: 1

**ORDINANCE NO. _____, SERIES 2016
AN ORDINANCE AWARDDING A COMMUNICATIONS SERVICES
FRANCHISE TO SHELBY COMMUNICATIONS, LLC 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, Shelby Communications, LLC 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.

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

Section 1. Louisville Metro hereby grants to Shelby Communications, LLC 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 Shelby Communications, LLC 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

David Yates

Metro Council Clerk

President of the Council

Date Approved:

Greg Fischer
Mayor

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By:

Shelby Communications LLC Comm.Services Franchise ROC pbw,bkn 052016 Draft 1

052016