

ORDINANCE #1209

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTION 810.22 OF THE LANSING CODIFIED ORDINANCES BY ENTERING INTO A NEW VIDEO SERVICE FRANCHISE AGREEMENT.

THE CITY OF LANSING ORDAINS:

810.22 Video service franchise.

The City authorizes a video service franchise with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the process set forth by Public Act 480 of 2006 (the Uniform Video Services Local Franchise Act), which requires video service providers to obtain a franchise from the City by means of a uniform video service local franchise agreement (uniform franchise) as follows:

(a) Pursuant to its authority under the Uniform Video Services Local Franchise Act and consistent with its uniform franchise with Arialink Telecom LLC, the City has previously established that an annual fee of two percent of gross revenues from video service providers is necessary as support for the cost of public, education, and government (PEG) access facilities and services, as determined by the City's community needs assessment.

(b) Pursuant to its authority under the Uniform Video Services Local Franchise Act and consistent with its uniform franchise with Arialink Telecom LLC, the City has previously established a fee of five percent of gross revenues from video service providers as the annual video service provider fee, sometimes called a franchise fee.

(c) Pursuant to its authority under the Uniform Video Services Local Franchise Act, the City hereby approves the uniform video service local franchise agreement submitted by Comcast of Michigan, LLC with a five percent fee in Section VI.A.II and a two percent PEG support fee in Section VIII.A.3.

(d) The approval of Comcast of Michigan, LLC's uniform video service local franchise agreement and the signature of the Mayor on it shall not be construed or understood to be a waiver by the City of its police powers; rights it may possess under, or authority it may possess under, the Uniform Video Services Local Franchise Act, Michigan Law, the Michigan Constitution, or federal law; or its right to challenge or modify a uniform franchise if the act in whole or in part is overturned by the courts.