



Legislation Text

File #: 20-0144, **Version:** 1

AN ORDINANCE GRANTING 10 YEAR FRANCHISE TO MCIMETRO ACCESS TRANSMISSION SERVICES CORP D/B/A VERIZON ACCESS TRANSMISSION SERVICES TO CONSTRUCT, MAINTAIN AND OPERATE FIBER-BASED TELECOMMUNICATION AND COMMUNICATIONS SERVICES

DESCRIPTION OF TOPIC: MCIMETRO Access Transmission Services Corp D/B/A Verizon Access Transmission Services has requested to enter into a 10-year Non-exclusive franchise with the City of Foley to be able to provide fiber-based telecommunications and communication services. The franchise fee in this agreement is set at 5% (five percent) of gross earnings in Foley and is equivalent to similar franchise agreements.

WHEREAS the City has and reserves the right to exercise control over the highways, streets, alleys and public places and to require City's consent before using such highways, streets, alleys, and public places; and

WHEREAS State law, confers to the City certain rights and requirements for franchises and permission to use the public ways of City; and

WHEREAS the Franchisee has requested from City a franchise to use the streets and public ways of the City to conduct business as a communications services provider; and

WHEREAS the City and the Franchisee desire to outline the terms of the franchise.

BE IT ORDAINED that the Foley City Council as follows:

Section 1. The City Council of the City of Foley does hereby grant to Provider a non-exclusive franchise granting the limited authority to construct and operate fiber-based telecommunication and communications services in the City of Foley in and along certain public rights-of-way subject to the terms and conditions set forth in the agreement attached hereto as Exhibit "A".

Section 2. Any Ordinance heretofore adopted by the City Council of the City of Foley, Alabama, which is in conflict with this Ordinance is hereby repealed but only to the extent of such conflict.

Section 3: This Ordinance shall become effective after its publication as required by law, and the Provider shall have thirty (30) days thereafter to execute and comply with the terms and conditions contained in the Franchise Agreement.

