

## HARFORD COUNTY

NEITHER OF THE COMMUNICATING PARTIES, WHETHER THE COMMUNICATION SIGNAL EXCHANGE IS OBSERVED BY VISUAL OR ELECTRONIC MEANS FOR ANY PURPOSE WHATSOEVER.

## SECTION 6.3. NON-EXCLUSIVE FRANCHISE.

(A) THE GRANTING AUTHORITY SHALL GRANT THE COMPANY A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, ERECT, OPERATE AND MAINTAIN A CATV SYSTEM, IN, UPON, ALONG, ACROSS, OVER AND UNDER THE COUNTY OWNED STREETS AND ALL EXTENSIONS THEREOF AND ADDITIONS THERETO AND OTHER PLACES DEFINED AND LIMITED BY THIS ARTICLE.

(B) THE FRANCHISE SHALL BECOME EFFECTIVE ON THE DATE ON WHICH THE GRANTING AUTHORITY NOTIFIES THE COMPANY THAT THE FRANCHISE HAS BEEN AWARDED PURSUANT TO THIS ACT AND IN CONFORMANCE WITH THE HARFORD COUNTY CODE. THE FRANCHISE SHALL REMAIN IN EFFECT FOR FIFTEEN (15) YEARS, UNLESS SOONER TERMINATED AS HEREINAFTER PROVIDED. [[THE COMPANY SHALL HAVE THE OPTION TO CONTINUE OPERATIONS FOR A FURTHER TEN YEAR PERIOD SUBJECT TO THE APPROVAL OF THE GRANTING AUTHORITY, SUCH APPROVAL SHALL NOT BE ARBITRARILY WITHHELD.]] THE FRANCHISE SHALL BE SUBJECT TO RENEWAL FOR A PERIOD OF TEN (10) YEARS DURATION ON THE SAME TERMS OR CONDITIONS AS CONTAINED HEREIN, OR ON SUCH DIFFERENT OR ADDITIONAL TERMS AND CONDITIONS AS MAY BE LAWFULLY SPECIFIED BY THE GRANTING AUTHORITY AND AS ARE CONSISTENT WITH THE REQUIREMENTS OF THE FEDERAL COMMUNICATIONS COMMISSION. NO RENEWAL HEREOF SHALL BE GRANTED UNLESS AUTHORIZED BY THE COUNCIL FOLLOWING AN APPROPRIATE PUBLIC PROCEEDING INVOLVING PUBLIC NOTICE AND AN OPPORTUNITY FOR INTERESTED PARTIES TO PARTICIPATE DURING WHICH PROCEEDING CORPORATION'S PART PERFORMANCE, THE ADEQUACY OF THE PROVISIONS OF THE EXPIRING FRANCHISE AND THE CONSISTENCY OF SUCH PROVISIONS WITH APPLICABLE STANDARDS OF THE FEDERAL COMMUNICATIONS COMMISSION HAVE BEEN CONSIDERED.

(C) NOTHING IN THIS ARTICLE OR A GRANT OF A FRANCHISE SHALL BE CONSTRUED AS A WAIVER OF THE COUNTY'S RIGHT TO REQUIRE ANY PERSON, OTHER THAN THE COMPANY UTILIZING THE SYSTEM, TO SECURE THE GRANTING AUTHORITY'S CONSENT PRIOR TO SUCH UTILIZATION.

## SECTION 6.4. FRANCHISE REQUIRED.

IT SHALL BE UNLAWFUL TO COMMENCE, CONTINUE, OR ENGAGE IN CONSTRUCTION AND/OR OPERATION OF A CATV SYSTEM, IN HARFORD COUNTY, MARYLAND, WITHOUT A FRANCHISE THAT HAS BEEN AWARDED PURSUANT TO THE TERMS AND PROVISIONS OF THIS ARTICLE.

## SECTION 6.5. METHODS FOR SOLICITATION OF APPLICATIONS.